S/INF/62

United Nations

Resolutions and Decisions of the Security Council

1 August 2006 – 31 July 2007

Security Council
Official Records

NOTE

The present volume of *Resolutions and Decisions of the Security Council* contains the resolutions adopted and the decisions taken by the Council on substantive questions during the period from 1 August 2006 to 31 July 2007, as well as decisions on some of the more important procedural matters. The resolutions and decisions are set out in parts I and II, under general headings indicating the questions under consideration. In each part, the questions are arranged according to the date on which they were first taken up by the Council, and under each question the resolutions and decisions appear in chronological order.

The resolutions are numbered in the order of their adoption. Each resolution is followed by the result of the vote. Decisions are usually taken without a vote.

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Membership of the Security Council in 2006 and 2007

In 2006 and 2007, the membership of the Security Council was as follows:

2006	**2007**
Argentina	Belgium
China	China
Congo	Congo
Denmark	France
France	Ghana
Ghana	Indonesia
Greece	Italy
Japan	Panama
Peru	Peru
Qatar	Qatar
Russian Federation	Russian Federation
Slovakia	Slovakia
United Kingdom of Great Britain and Northern Ireland	South Africa
United Republic of Tanzania	United Kingdom of Great Britain and Northern Ireland
United States of America	United States of America

Resolutions adopted and decisions taken by the Security Council from 1 August 2006 to 31 July 2007

Part I. Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

ITEMS RELATING TO THE SITUATION IN THE MIDDLE EAST

A. The situation in the Middle East, including the Palestinian question[1]

Decisions

At its 5515th meeting, on 22 August 2006, the Security Council decided to invite the representatives of Algeria, Brazil, Canada, Finland, Iran (Islamic Republic of), Israel, Lebanon, Norway, Pakistan, the Sudan and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".[2]

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahim Gambari, Under-Secretary-General for Political Affairs.

At the same meeting, the Council further decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 21 August 2006 to the President of the Council,[3] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At its 5530th meeting, on 21 September 2006, the Council decided to invite the representatives of Bahrain (Minister for Foreign Affairs), Finland (Minister for Foreign Affairs) and Israel to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian question

> "Letter dated 30 August 2006 from the Permanent Observer of the League of Arab States to the United Nations addressed to the President of the Security Council (S/2006/700)".

At the same meeting, the Council also decided to extend an invitation to the Executive Chairman of the Palestine Liberation Organization and President of the Palestinian Authority, in response to the request dated 21 September 2006 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Council,[4] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At its 5552nd meeting, on 19 October 2006, the Council decided to invite the representatives of Bahrain, Cuba, Finland, Iran (Islamic Republic of), Israel and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Alvaro de Soto, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

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[1] Resolutions or decisions on this question have been adopted by the Security Council every year since 2000.

[2] Indonesia submitted a request to be invited to participate, which it subsequently withdrew.

[3] Document S/2006/676, incorporated in the record of the 5515th meeting.

[4] Document S/2006/752, incorporated in the record of the 5530th meeting.

At the same meeting, the Council further decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 17 October 2006 to the President of the Council,[5] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At its 5564th meeting, on 9 November 2006, the Council decided to invite the representatives of Algeria, Azerbaijan, Brazil, Cuba, Egypt, Finland, Indonesia, Iran (Islamic Republic of), Israel, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Morocco, Norway, Pakistan, Saudi Arabia, South Africa, Spain, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian question

> "Letter dated 6 November 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the President of the Security Council (S/2006/868)
>
> "Letter dated 7 November 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the President of the Security Council (S/2006/869)
>
> "Letter dated 8 November 2006 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council (S/2006/871)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 8 November 2006 to the President of the Council,[6] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 8 November 2006.[7]

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Angela Kane, Assistant Secretary-General for Political Affairs.

At the same meeting, in response to the request dated 9 November 2006 from the Permanent Representative of Qatar to the United Nations addressed to the President of the Security Council, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer for the League of Arab States to the United Nations.

At its 5565th meeting, on 11 November 2006, the Council considered the item entitled:

"The situation in the Middle East, including the Palestinian question

> "Letter dated 6 November 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the President of the Security Council (S/2006/868)
>
> "Letter dated 7 November 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the President of the Security Council (S/2006/869)

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[5] Document S/2006/827, incorporated in the record of the 5552nd meeting.

[6] Document S/2006/873, incorporated in the record of the 5564th meeting.

[7] See S/PV.5564.

> "Letter dated 8 November 2006 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council (S/2006/871)".

In accordance with the decision taken at the 5564th meeting, the President, with the consent of the Council, invited the Permanent Observer of Palestine to the United Nations to participate in the discussion in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

NOTE: At the 5565th meeting also, the Council voted on a draft resolution sponsored by Qatar, contained in document S/2006/878. The result of the voting was as follows: 10 votes in favour, 1 against (United States of America) and 4 abstentions (Denmark, Japan, Slovakia and United Kingdom of Great Britain and Northern Ireland). The draft resolution was not adopted, owing to the negative vote of a permanent member of the Council.

At its 5568th meeting, on 21 November 2006, the Council decided to invite the representatives of Cuba, Finland, Iran (Islamic Republic of) and Israel to participate, without vote, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 20 November 2006 to the President of the Council,[8] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahim Gambari, Under-Secretary-General for Political Affairs.

At its 5624th meeting, on 25 January 2007, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahim Gambari, Under-Secretary-General for Political Affairs.

At its 5629th meeting, on 13 February 2007, the Council decided to invite the representatives of Argentina, Azerbaijan, Bangladesh, Cuba, Germany, Iran (Islamic Republic of), Israel, Japan, Jordan, Kuwait, Lebanon, Malaysia, Morocco, Norway, Pakistan, Senegal, the Syrian Arab Republic, Turkey and Venezuela (Bolivarian Republic of) to participate, without vote, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".[9]

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 12 February 2007 to the President of the Council,[10] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Alvaro de Soto, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 12 February 2007.

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[8] Document S/2006/904, incorporated in the record of the 5568th meeting.

[9] Egypt submitted a request to be invited to participate, which it subsequently withdrew.

[10] Document S/2007/83, incorporated in the record of the 5629th meeting.

At its 5638th meeting, on 14 March 2007, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At its 5667th meeting, on 25 April 2007, the Council decided to invite the representatives of Israel, Lebanon and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 19 April 2007 to the President of the Council,[11] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

On 18 May 2007, the President of the Security Council addressed the following letter to the Secretary-General:[12]

> "I have the honour to inform you that your letter dated 15 May 2007 concerning your intention to appoint Mr. Michael C. Williams as the United Nations Special Coordinator for the Middle East Peace Process and your Personal Representative to the Palestine Liberation Organization and the Palestinian Authority[13] has been brought to the attention of the members of the Security Council. They take note of the information and intention contained in your letter."

At its 5683rd meeting, on 24 May 2007, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At its 5701st meeting, on 20 June 2007, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Michael C. Williams, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

At its 5723rd meeting, on 25 July 2007, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Michael C. Williams, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

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[11] Document S/2007/228, incorporated in the record of the 5667th meeting.

[12] S/2007/293.

[13] S/2007/292.

B. The situation in the Middle East[14]

Decisions

At its 5508th meeting, on 8 August 2006, the Security Council decided to invite the representatives of Israel, Lebanon (Minister of Culture and Special Envoy of the Council of Ministers) and the United Arab Emirates (Minister for Foreign Affairs) to participate, without vote, in the discussion of the item entitled "The situation in the Middle East".

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Amre Moussa, Secretary-General of the League of Arab States.

At its 5511th meeting, on 11 August 2006, the Council decided to invite the representatives of Israel and Lebanon (Minister of Culture and Special Envoy of the Council of Ministers) to participate, without vote, in the discussion of the item entitled "The situation in the Middle East".

Resolution 1701 (2006)
of 11 August 2006

The Security Council,

Recalling all its previous resolutions on Lebanon, in particular resolutions 425 (1978) and 426 (1978) of 19 March 1978, 520 (1982) of 17 September 1982, 1559 (2004) of 2 September 2004, 1655 (2006) of 31 January 2006, 1680 (2006) of 17 May 2006 and 1697 (2006) of 31 July 2006, as well as the statements by its President on the situation in Lebanon, in particular the statements of 18 June 2000,[15] 19 October 2004,[16] 4 May 2005,[17] 23 January 2006[18] and 30 July 2006,[19]

Expressing its utmost concern at the continuing escalation of hostilities in Lebanon and in Israel since Hizbullah's attack on Israel on 12 July 2006, which has already caused hundreds of deaths and injuries on both sides, extensive damage to civilian infrastructure and hundreds of thousands of internally displaced persons,

Emphasizing the need for an end to violence, but at the same time emphasizing the need to address urgently the causes that have given rise to the current crisis, including by the unconditional release of the abducted Israeli soldiers,

Mindful of the sensitivity of the issue of prisoners, and encouraging the efforts aimed at urgently settling the issue of the Lebanese prisoners detained in Israel,

Welcoming the efforts of the Prime Minister of Lebanon and the commitment of the Government of Lebanon, in its seven-point plan,[20] to extend its authority over its territory, through its own legitimate armed forces, such that there will be no weapons without the consent of the Government of Lebanon and no authority other than that of the Government of Lebanon, welcoming also its commitment to a United Nations force that is supplemented and enhanced in numbers, equipment, mandate and scope of operation, and bearing in mind its request in this plan for an immediate withdrawal of the Israeli forces from southern Lebanon,

Determined to act for this withdrawal to happen at the earliest,

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[14] Resolutions or decisions on this question have been adopted by the Security Council every year since 1967.

[15] S/PRST/2000/21.

[16] S/PRST/2004/36.

[17] S/PRST/2005/17.

[18] S/PRST/2006/3.

[19] S/PRST/2006/35.

[20] See S/2006/639.

Taking due note of the proposals made in the seven-point plan regarding the Shebaa Farms area,

Welcoming the unanimous decision taken by the Government of Lebanon on 7 August 2006 to deploy a Lebanese armed force of 15,000 troops in South Lebanon as the Israeli army withdraws behind the Blue Line, to request the assistance of additional forces from the United Nations Interim Force in Lebanon, as needed, to facilitate the entry of the Lebanese Armed Forces into the region, and to restate its intention to strengthen the Lebanese Armed Forces with material as needed to enable it to perform its duties,

Aware of its responsibilities to help secure a permanent ceasefire and a long-term solution to the conflict,

Determining that the situation in Lebanon constitutes a threat to international peace and security,

1. *Calls for* a full cessation of hostilities based upon, in particular, the immediate cessation by Hizbullah of all attacks and the immediate cessation by Israel of all offensive military operations;

2. Upon full cessation of hostilities, *calls upon* the Government of Lebanon and the United Nations Interim Force in Lebanon as authorized by paragraph 11 below to deploy their forces together throughout the south, and calls upon the Government of Israel, as that deployment begins, to withdraw all of its forces from southern Lebanon in parallel;

3. *Emphasizes* the importance of the extension of the control of the Government of Lebanon over all Lebanese territory in accordance with the provisions of resolutions 1559 (2004) and 1680 (2006), and of the relevant provisions of the Taif Accords, for it to exercise its full sovereignty, so that there will be no weapons without the consent of the Government of Lebanon and no authority other than that of the Government of Lebanon;

4. *Reiterates its strong support* for full respect for the Blue Line;

5. *Also reiterates its strong support*, as recalled in all its previous relevant resolutions, for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized borders, as contemplated by the Israeli-Lebanese General Armistice Agreement of 23 March 1949;[21]

6. *Calls upon* the international community to take immediate steps to extend its financial and humanitarian assistance to the Lebanese people, including by facilitating the safe return of displaced persons and, under the authority of the Government of Lebanon, reopening airports and harbours, consistent with paragraphs 14 and 15 below, and calls upon it also to consider further assistance in the future to contribute to the reconstruction and development of Lebanon;

7. *Affirms* that all parties are responsible for ensuring that no action is taken contrary to paragraph 1 above that might adversely affect the search for a long-term solution, humanitarian access to civilian populations, including safe passage for humanitarian convoys, or the voluntary and safe return of displaced persons, and calls upon all parties to comply with this responsibility and to cooperate with the Security Council;

8. *Calls for* Israel and Lebanon to support a permanent ceasefire and a long-term solution based on the following principles and elements:

- Full respect for the Blue Line by both parties;
- Security arrangements to prevent the resumption of hostilities, including the establishment between the Blue Line and the Litani river of an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and of the United Nations Interim Force in Lebanon as authorized in paragraph 11 below, deployed in this area;

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[21] See S/1296/Rev.1.

- Full implementation of the relevant provisions of the Taif Accords, and of resolutions 1559 (2004) and 1680 (2006), that require the disarmament of all armed groups in Lebanon, so that, pursuant to the Lebanese Cabinet decision of 27 July 2006, there will be no weapons or authority in Lebanon other than that of the Lebanese State;
- No foreign forces in Lebanon without the consent of its Government;
- No sales or supply of arms and related materiel to Lebanon except as authorized by its Government;
- Provision to the United Nations of all remaining maps of landmines in Lebanon in Israel's possession;

9. *Invites* the Secretary-General to support efforts to secure as soon as possible agreements in principle from the Government of Lebanon and the Government of Israel to the principles and elements for a long-term solution as set forth in paragraph 8 above, and expresses its intention to be actively involved;

10. *Requests* the Secretary-General to develop, in liaison with relevant international actors and the parties concerned, proposals to implement the relevant provisions of the Taif Accords, and resolutions 1559 (2004) and 1680 (2006), including disarmament, and for delineation of the international borders of Lebanon, especially in those areas where the border is disputed or uncertain, including by dealing with the Shebaa Farms area, and to present those proposals to the Council within thirty days;

11. *Decides*, in order to supplement and enhance the United Nations Interim Force in Lebanon in numbers, equipment, mandate and scope of operations, to authorize an increase in its force strength to a maximum of 15,000 troops, and that the Force shall, in addition to carrying out its mandate under resolutions 425 (1978) and 426 (1978):

(*a*) Monitor the cessation of hostilities;

(*b*) Accompany and support the Lebanese Armed Forces as they deploy throughout the south, including along the Blue Line, as Israel withdraws its armed forces from Lebanon as provided in paragraph 2 above;

(*c*) Coordinate its activities related to subparagraph (*b*) above with the Government of Lebanon and the Government of Israel;

(*d*) Extend its assistance to help ensure humanitarian access to civilian populations and the voluntary and safe return of displaced persons;

(*e*) Assist the Lebanese Armed Forces in taking steps towards the establishment of the area as referred to in paragraph 8 above;

(*f*) Assist the Government of Lebanon, at its request, to implement paragraph 14 below;

12. *Acting in support* of a request from the Government of Lebanon to deploy an international force to assist it to exercise its authority throughout the territory, authorizes the United Nations Interim Force in Lebanon to take all necessary action, in areas of deployment of its forces and as it deems within its capabilities, to ensure that its area of operations is not utilized for hostile activities of any kind, to resist attempts by forceful means to prevent it from discharging its duties under the mandate of the Council, and to protect United Nations personnel, facilities, installations and equipment, ensure the security and freedom of movement of United Nations personnel, humanitarian workers and, without prejudice to the responsibility of the Government of Lebanon, protect civilians under imminent threat of physical violence;

13. *Requests* the Secretary-General urgently to put in place measures to ensure that the Force is able to carry out the functions envisaged in the present resolution, urges Member States to consider making appropriate contributions to the Force and to respond positively to requests for assistance from the Force, and expresses its strong appreciation to those who have contributed to the Force in the past;

14. *Calls upon* the Government of Lebanon to secure its borders and other entry points to prevent the entry in Lebanon without its consent of arms or related materiel, and requests the Force, as authorized in paragraph 11 above, to assist the Government of Lebanon at its request;

15. *Decides* that all States shall take the necessary measures to prevent, by their nationals or from their territories or using their flag vessels or aircraft:

(*a*) The sale or supply to any entity or individual in Lebanon of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, whether or not these originated in their territories; and

(*b*) The provision to any entity or individual in Lebanon of any technical training or assistance related to the provision, manufacture, maintenance or use of the items listed in subparagraph (*a*) above;

except that these prohibitions shall not apply to arms, related materiel, training or assistance authorized by the Government of Lebanon or by the Force as authorized in paragraph 11 above;

16. *Decides also* to extend the mandate of the Force until 31 August 2007, and expresses its intention to consider in a later resolution further enhancements to the mandate and other steps to contribute to the implementation of a permanent ceasefire and a long-term solution;

17. *Requests* the Secretary-General to report to the Council within one week on the implementation of the present resolution and subsequently on a regular basis;

18. *Stresses* the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 1515 (2003) of 19 November 2003;

19. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5511th meeting.

Decisions

On 13 September 2006, the President of the Security Council addressed the following letter to the Secretary-General:[22]

> "I have the honour to inform you that your letter dated 8 September 2006 concerning the reinforcement of the United Nations Interim Force in Lebanon pursuant to paragraphs 11 (*f*) and 14 of resolution 1701 (2006)[23] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter."

At its 5539th meeting, on 29 September 2006, the Council decided to invite the representatives of Lebanon and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

> "Letter dated 25 September 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/760)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Serge Brammertz, Commissioner of the International Independent Investigation Commission.

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[22] S/2006/734.

[23] S/2006/733.

At its 5559th meeting, on 30 October 2006, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

> "Fourth semi-annual report of the Secretary-General to the Security Council on the implementation of Security Council resolution 1559 (2004) (S/2006/832)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[24]

> "The Security Council recalls all its previous resolutions on Lebanon, in particular resolutions 425 (1978), 426 (1978), 520 (1982), 1559 (2004), 1680 (2006) and 1701 (2006), as well as the statements by its President on the situation in Lebanon, in particular the statements of 18 June 2000,[15] 19 October 2004,[16] 4 May 2005[17] and 23 January 2006.[18]
>
> "The Council reaffirms its strong support for the territorial integrity, sovereignty, unity and political independence of Lebanon within its internationally recognized borders.
>
> "The Council welcomes the fourth semi-annual report of the Secretary-General of 19 October 2006 on the implementation of resolution 1559 (2004).[25]
>
> "The Council notes that important progress has been made towards the implementation of resolution 1559 (2004), in particular through the deployment of the Lebanese Armed Forces in the south of the country for the first time in three decades, but it also notes with regret that some provisions of resolution 1559 (2004) have yet to be implemented, namely the disbanding and disarming of Lebanese and non-Lebanese militias, the strict respect for the sovereignty, territorial integrity, unity and political independence of Lebanon, and free and fair presidential elections conducted according to the Lebanese constitutional rules, without any foreign interference and influence.
>
> "The Council commends the Government of Lebanon for extending its authority throughout its territory, particularly in the south, and encourages it to continue its efforts in this regard.
>
> "The Council reiterates its call for the full implementation of resolution 1559 (2004) and urges all concerned States and parties as mentioned in the report to cooperate fully with the Government of Lebanon, the Council and the Secretary-General to achieve this goal.
>
> "The Council reaffirms its support to the Secretary-General and his Special Envoy in their efforts and dedication to facilitate and assist in the implementation of all provisions of resolutions 1559 (2004) and 1680 (2006).
>
> "The Council acknowledges the intention of the Secretary-General to revert to the Council in his next report on the implementation of resolution 1701 (2006) and looks forward to his further recommendations on the relevant outstanding issues."

On 15 November 2006, the President of the Security Council addressed the following letter to the Secretary-General:[26]

> "I have the honour to inform you that your letter dated 10 November 2006 concerning your intention to appoint Major General Ian Campbell Gordon, of Australia, as the Chief of Staff of the United Nations Truce Supervision Organization[27] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[24] S/PRST/2006/43.

[25] S/2006/832.

[26] S/2006/895.

[27] S/2006/894.

At its 5569th meeting, on 21 November 2006, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled "The situation in the Middle East".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[28]

> "The Security Council unequivocally condemns the assassination in Beirut on 21 November 2006 of Minister for Industry Pierre Gemayel, a patriot who was a symbol of freedom and of the political independence of Lebanon. The Council expresses its deepest sympathy and condolences to the family of the victim and to the people and Government of Lebanon.
>
> "The Council condemns any attempt to destabilize Lebanon through political assassination or other terrorist acts. The Council is gravely concerned by this assassination and its possible impact on ongoing efforts by the Government and people of Lebanon to solidify democracy, extend the authority of the Government of Lebanon throughout its territory and complete the reconstruction process.
>
> "The Council calls upon all parties in Lebanon and the region to show restraint and a sense of responsibility with a view to preventing any further deterioration of the situation in Lebanon. The Council urges all States, in accordance with its resolutions 1373 (2001), 1566 (2004) and 1624 (2005), to cooperate fully in the fight against terrorism.
>
> "The Council welcomes the determination and commitment of the Government of Lebanon to bring to justice the perpetrators, organizers and sponsors of this and other assassinations and underlines its determination to support the Government of Lebanon in its efforts to this end.
>
> "The Council reaffirms its previous calls upon all parties concerned to cooperate fully and urgently with the Council for the full implementation of all relevant resolutions concerning the restoration of the territorial integrity, full sovereignty and political independence of Lebanon, in particular resolutions 1559 (2004), 1595 (2005), 1664 (2006), 1680 (2006) and 1701 (2006).
>
> "The Council requests the Secretary-General to continue to follow closely and report regularly to the Council on the situation in Lebanon. The Council underlines its readiness to continue to act in support of the legitimate and democratically elected Government of Lebanon."

On 21 November 2006, the President of the Security Council addressed the following letter to the Secretary-General:[29]

> "The members of the Security Council have carefully considered your report on the establishment of a special tribunal for Lebanon, submitted in accordance with resolution 1664 (2006),[30] as well as the attached presentation by your Legal Counsel.[31]
>
> "They welcome the conclusion of the negotiation with the Government of Lebanon, as requested in resolution 1664 (2006).
>
> "The members of the Council are satisfied with the agreement annexed to the report, including the statute of the Special Tribunal.

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[28] S/PRST/2006/46.

[29] S/2006/911.

[30] S/2006/893.

[31] S/2006/893/Add.1.

"With regard to the financing of the Special Tribunal, they support option 2, as set out in paragraph 49 of your report, and recommend, therefore, the inclusion in the agreement of the corresponding article, which would read:

'The expenses of the Special Tribunal shall be borne in the following manner:

'(*a*) Fifty-one per cent of the expenses of the Tribunal shall be borne by voluntary contributions from States;

'(*b*) Forty-nine per cent of the expenses of the Tribunal shall be borne by the Government of Lebanon.

'It is understood that the Secretary-General will commence the process of establishing the Tribunal when he has sufficient contributions in hand to finance the establishment of the Tribunal and twelve months of its operations, plus pledges equal to the anticipated expenses of the following twenty-four months of the Tribunal's operation. Should voluntary contributions be insufficient for the Tribunal to implement its mandate, the Secretary-General and the Security Council shall explore alternate means of financing the Tribunal.'

"The members of the Council invite you to proceed, together with the Government of Lebanon, in conformity with the Constitution of Lebanon, with the final steps for the conclusion of the agreement.

"They look forward to being kept informed of developments regarding the establishment of the Special Tribunal."

On 22 November 2006, the President of the Security Council addressed the following letter to the Secretary-General:[32]

"The members of the Security Council have carefully considered your letter dated 21 November 2006 regarding the request of the Government of Lebanon for technical assistance from the International Independent Investigation Commission in the investigation of the murder of Minister for Industry Pierre Gemayel.[33] Determined to support the Government of Lebanon in its efforts to bring to justice the perpetrators, organizers and sponsors of the assassination of Pierre Gemayel and other assassinations,[28] they refer to resolutions 1644 (2005) and 1686 (2006), and therefore invite the International Independent Investigation Commission to extend its technical assistance, as appropriate, to the Lebanese authorities in this investigation and invite the Secretary-General to so inform the Government of Lebanon and the Commissioner of the International Independent Investigation Commission."

At its 5584th meeting, on 12 December 2006, the Council decided to invite the representative of Israel to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the Middle East (S/2006/956)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 11 December 2006 to the President of the Council,[34] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

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[32] S/2006/915.

[33] S/2006/914.

[34] Document S/2006/960, incorporated in the record of the 5584th meeting.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[35]

"The Security Council expresses its deep concern over the situation in the Middle East, with its serious ramifications for peace and security, and underlines the need to intensify efforts to achieve a just, lasting and comprehensive peace in the region.

"The Council stresses that there can be no military solution to the problems of the region and that negotiation is the only viable way to bring peace and prosperity to peoples throughout the Middle East.

"The Council stresses that the parties must respect their obligations under previous agreements, including by putting an end to violence and all aspects of terrorism.

"The Council expresses grave concern over the deteriorating humanitarian situation and calls for the provision of emergency assistance to the Palestinian people through the Temporary International Mechanism, international organizations and other official channels.

"The Council welcomes the agreement between Israeli Prime Minister Ehud Olmert and Palestinian Authority President Mahmoud Abbas to establish a mutual ceasefire in Gaza.

"The Council welcomes the steps taken by both sides to maintain the ceasefire and expresses its hope that it will lead to a sustained period of calm. It calls upon both sides, therefore, to avoid any actions which could jeopardize further progress. It reiterates its call for an end to all aspects of terrorism and violence as set out in previous statements and resolutions.

"The Council is mindful of the need to encourage steps to increase confidence in the peace process.

"The Council reiterates its call for the Palestinian Authority Government to accept the three Quartet principles.

"The Council reaffirms its profound attachment to the vision of two democratic States, Israel and Palestine, living side by side in peace and security, as envisaged in the Road Map.[36]

"The Council underlines that action by the international community cannot be a substitute for determined measures by the parties themselves.

"The Council encourages the parties to engage in direct negotiations.

"The Council reaffirms the vital role of the Quartet and looks forward to its continued active engagement.

"The Council reiterates the importance of, and the need to achieve a just, comprehensive and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242 (1967), 338 (1973) and 1515 (2003), the Madrid terms of reference[37] and the principle of land for peace."

At its 5586th meeting, on 12 December 2006, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

"Letter dated 1 December 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/933)".

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[35] S/PRST/2006/51.

[36] Performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict (S/2003/529, annex).

[37] See Declaration of Principles on Interim Self-Government Arrangements, signed at Washington, D.C., on 13 September 1993 (S/26560, annex).

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[38]

> "The Security Council recalls all its previous resolutions on Lebanon, in particular resolutions 425 (1978), 426 (1978), 520 (1982), 1559 (2004), 1680 (2006) and 1701 (2006), as well as the statements by its President on the situation in Lebanon, in particular the statements of 30 October[24] and 21 November 2006.[28]
>
> "The Council reiterates its full support for the legitimate and democratically elected Government of Lebanon, calls for full respect for the democratic institutions of the country, in conformity with the Constitution, and condemns any effort to destabilize Lebanon. The Council calls upon all Lebanese political parties to show responsibility with a view to preventing, through dialogue, further deterioration of the situation in Lebanon. It reaffirms its strong support for the sovereignty, territorial integrity, unity and political independence of Lebanon within its internationally recognized borders and under the sole and exclusive authority of the Government of Lebanon. The Council reiterates its call upon all parties concerned to cooperate fully and urgently with the Council for the full implementation of all relevant resolutions concerning the restoration of the territorial integrity, full sovereignty and political independence of Lebanon.
>
> "The Council welcomes the letter dated 1 December 2006 from the Secretary-General to the President of the Council,[39] as well as the previous reports of the Secretary-General of 18 August[40] and 12 September 2006[41] on the implementation of resolution 1701 (2006).
>
> "The Council calls for the full implementation of resolution 1701 (2006) and urges all concerned parties to cooperate fully with the Council and the Secretary-General to achieve this goal.
>
> "The Council welcomes the indication by the Secretary-General of the continuing commitment of the Government of Lebanon and the Government of Israel to all aspects of the implementation of resolution 1701 (2006). It urges both Governments to strictly abide by their commitment and to pursue their efforts to achieve a permanent ceasefire and a long-term solution as envisioned in the resolution.
>
> "The Council notes that important progress has been made towards the implementation of resolution 1701 (2006), in particular through the cessation of hostilities, the imminent withdrawal of all the Israeli forces from southern Lebanon and the deployment of the Lebanese Armed Forces in the south of the country for the first time in three decades, together with the deployment so far of more than 10,000 troops from the reinforced United Nations Interim Force in Lebanon.
>
> "The Council welcomes the maintenance of the cessation of hostilities since 14 August 2006, supports the work done by the Force, together with the parties, to finalize the Israeli withdrawal from the remaining area inside Lebanon and set up temporary security arrangements for the part of the village of Ghajar inside Lebanese territory, positively notes the decision of the Israeli Cabinet in this regard, and looks forward to its early implementation.
>
> "The Council commends the Government of Lebanon for extending its authority throughout its territory, particularly in the south, and encourages it to continue its efforts in this regard, including through the reinforcement of its capacities along its borders and the exercise of its monopoly of the use of force all over its territory in accordance with relevant Council resolutions.

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[38] S/PRST/2006/52.

[39] S/2006/933.

[40] S/2006/670.

[41] S/2006/730.

"The Council reiterates its full support to the Force and looks forward to the completion of its deployment early next year as contemplated by the Secretary-General in his letter. It expresses its strong appreciation to Member States that have contributed to the Force in the past and since the adoption of resolution 1701 (2006) and notes the establishment of the Strategic Military Cell dedicated to the Force at United Nations Headquarters.

"The Council, while expressing deep concern at the continuing Israeli violations of Lebanese airspace, appeals to all parties concerned to respect the cessation of hostilities and the Blue Line in its entirety, to refrain from any act of provocation and to abide scrupulously by their obligation to respect the safety of the Force and other United Nations personnel, including by avoiding any course of action which endangers United Nations personnel and by ensuring that the Force is accorded full freedom of movement throughout its area of operation.

"The Council, in this context, reiterates its deep concern at the latest reports, though unverified, of illegal movements of arms into Lebanon. It welcomes the initial steps taken by the Government of Lebanon, notably the deployment of 8,000 troops along the border, to prevent movements of arms in conformity with relevant resolutions, and reiterates its call upon the Government of the Syrian Arab Republic to take similar measures to reinforce controls at the border.

"The Council, mindful of the conclusions of the team of border police experts dispatched by the Secretary-General at the request of the Government of Lebanon, invites the Secretary-General to pursue further technical and independent assessment of the situation along the border and to report back to the Council on further findings and recommendations in this regard.

"The Council further invites Member States, as recommended by the Secretary-General, to consider possible bilateral assistance to the Government of Lebanon to enhance its border security capacities.

"The Council urges all Member States, in particular in the region, to take all necessary measures to implement in full paragraph 15 of resolution 1701 (2006), including the arms embargo, and expresses its intention to consider further steps to achieve the goals set out in that paragraph.

"The Council welcomes the concrete steps taken by the Government of Lebanon, with the assistance of the Force, to establish between the Blue Line and the Litani river an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and of the Force, and calls upon the Government of Lebanon to strengthen its efforts to this end. The Council also reiterates its call for the disbanding and disarmament of all militias and armed groups in Lebanon.

"The Council expresses deepest concern at the presence in very high numbers of unexploded ordnance in south Lebanon, including cluster munitions. It deplores the death and injury of dozens of civilians, as well as of several deminers, caused by those munitions since the cessation of hostilities. It welcomes the continued contribution of the Force to operational mine clearance, encourages further assistance in mine action by the United Nations to the Government of Lebanon in support of both the continued development of its national mine action capacity and clearance of the remaining mine/unexploded ordnance threat in the south, commends donor countries for supporting these efforts through financial and in-kind contributions and encourages further international contributions and practical cooperation.

"The Council reaffirms the urgent need for the unconditional release of the abducted Israeli soldiers.

"The Council further encourages efforts aimed at urgently settling the issue of the Lebanese prisoners detained in Israel.

"The Council commends the efforts of the Secretary-General and his facilitator to this end and calls upon all parties concerned to support those efforts.

"Bearing in mind the relevant provisions of resolutions 1559 (2004), 1680 (2006) and 1701 (2006), in particular on the delineation of the Syrian-Lebanese border, the Council takes note with interest of the appointment by the Secretary-General of a senior cartographer to review relevant material and develop an accurate territorial definition of the Shebaa Farms area.

"The Council notes with appreciation the process launched by the Secretary-General to investigate the cartographic, legal and political implications of the proposal contained in the seven-point plan of the Government of Lebanon[20] and looks forward to its further recommendations on this issue early next year.

"The Council calls upon the international community urgently to provide the Government of Lebanon with financial assistance in support of the national early recovery and reconstruction process. It expresses its appreciation to the Member States, United Nations bodies and intergovernmental, regional and non-governmental organizations that have provided and continue to provide assistance to the Lebanese people and Government, and looks forward to the success of the international conference which will be held in Paris on 25 January 2007 in support of Lebanon.

"The Council reaffirms its full support to the Secretary-General in his efforts and dedication to facilitate and assist in the fulfilment of all provisions of resolution 1701 (2006), and requests the Secretary-General to report on a quarterly basis on the implementation of that resolution, notably on further progress made towards the achievement of a permanent ceasefire and a long-term solution."

At its 5596th meeting, on 15 December 2006, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Disengagement Observer Force (S/2006/938)".

Resolution 1729 (2006)
of 15 December 2006

The Security Council,

Having considered the report of the Secretary-General of 4 December 2006 on the United Nations Disengagement Observer Force,[42] and reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Welcomes* the efforts being undertaken by the United Nations Disengagement Observer Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

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[42] S/2006/938.

3. *Decides* to renew the mandate of the Force for a period of six months, that is, until 30 June 2007;

4. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 5596th meeting.

Decisions

At the 5596th meeting also, following the adoption of resolution 1729 (2006), the President of the Security Council made the following statement on behalf of the Council:[43]

> "In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:
>
> > 'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[42] states in paragraph 12: "... the situation in the Middle East is tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". That statement of the Secretary-General reflects the view of the Security Council.' "

At its 5597th meeting, on 18 December 2006, the Council decided to invite the representatives of Lebanon and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

> "Letter dated 12 December 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/962)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Serge Brammertz, Commissioner of the International Independent Investigation Commission.

On 19 December 2006, the President of the Security Council addressed the following letter to the Secretary-General:[44]

> "I have the honour to inform you that your letter dated 14 December 2006 concerning your intention to extend until 15 June 2007 the appointment of Mr. Serge Brammertz as the Commissioner of the International Independent Investigation Commission into the assassination of former Lebanese Prime Minister Rafiq Hariri established pursuant to resolution 1595 (2005)[45] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 19 January 2007, the President of the Security Council addressed the following letter to the Secretary-General:[46]

> "I have the honour to inform you that your letter dated 16 January 2007 concerning your intention to appoint Major General Wolfgang Jilke, of Austria, to the post of Force Commander of the United Nations Disengagement Observer Force[47] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[43] S/PRST/2006/54.

[44] S/2006/999.

[45] S/2006/998.

[46] S/2007/25.

[47] S/2007/24.

On 19 January 2007, the President of the Security Council addressed the following letter to the Secretary-General:[48]

> "I have the honour to inform you that your letter dated 16 January 2007 concerning your intention to appoint Major General Claudio Graziano, of Italy, as the Force Commander of the United Nations Interim Force in Lebanon[49] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 13 February 2007, the President of the Security Council addressed the following letter to the Secretary-General:[50]

> "I have the honour to inform you that your letter dated 8 February 2007 concerning your intention to appoint Mr. Geir Pedersen as your Special Coordinator for Lebanon[51] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 15 February 2007, the President of the Security Council addressed the following letter to the Secretary-General:[52]

> "The members of the Security Council have carefully considered your letter dated 13 February 2007 regarding the request of the Government of Lebanon for technical assistance from the International Independent Investigation Commission in the effort to investigate the bombing near the town of Bikfaya on 13 February 2007 which, according to reports, killed 3 people and injured 22.[53] Determined to continue to assist the Government of Lebanon in the search for the truth and to bring to justice the perpetrators, organizers and sponsors of that terrorist attack, as well as of other terrorist attacks and assassinations committed in Lebanon since October 2004,[54] they refer to resolutions 1644 (2005) and 1686 (2006), invite the International Independent Investigation Commission to extend appropriate technical assistance to the Lebanese authorities in the investigation and invite the Secretary-General to so inform the Government of Lebanon and the Commissioner of the International Independent Investigation Commission."

At its 5642nd meeting, on 21 March 2007, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

> "Letter dated 15 March 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/150)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Serge Brammertz, Commissioner of the International Independent Investigation Commission.

At its 5648th meeting, on 27 March 2007, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

> "Letter dated 15 March 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/150)".

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[48] S/2007/27.

[49] S/2007/26.

[50] S/2007/86.

[51] S/2007/85.

[52] S/2007/91.

[53] S/2007/90.

[54] See press statement SC/8954 of 13 February 2007.

Resolution 1748 (2007)
of 27 March 2007

The Security Council,

Recalling all its previous relevant resolutions, in particular resolutions 1595 (2005) of 7 April 2005, 1636 (2005) of 31 October 2005, 1644 (2005) of 15 December 2005, 1664 (2006) of 29 March 2006, 1686 (2006) of 15 June 2006, 1373 (2001) of 28 September 2001 and 1566 (2004) of 8 October 2004,

Reaffirming its strongest condemnation of the terrorist bombing of 14 February 2005, as well as of all other attacks in Lebanon since October 2004, and reaffirming also that those involved in these attacks must be held accountable for their crimes,

Having examined the report of the International Independent Investigation Commission ("the Commission"), submitted pursuant to resolutions 1595 (2005), 1636 (2005), 1644 (2005), and 1686 (2006),[55]

Commending the Commission for the outstanding professional work it continues to accomplish under difficult circumstances in assisting the Lebanese authorities in their investigation into all aspects of this terrorist act,

Taking note of the letter dated 21 February 2007 from the Prime Minister of Lebanon to the Secretary-General requesting that the mandate of the Commission be extended for a further period of up to one year from 15 June 2007 in order to ensure stability and continuity in the investigative process,[56] and noting the concurrent recommendation of the Secretary-General in that regard,

Noting the conclusion of the Commission that, in the light of its current and planned investigative activities, and while significant progress has been made, it is unlikely that the Commission will complete its work before its current mandate expires and that the Commission therefore welcomes the Lebanese request for an extension of its mandate beyond this date,

Willing to continue to assist Lebanon in the search for the truth and in holding all those involved in this terrorist attack accountable,

1. *Welcomes* the report of the Commission;[55]

2. *Decides* to extend the mandate of the Commission until 15 June 2008, and declares its readiness to terminate the mandate earlier if the Commission reports that it has completed the implementation of its mandate;

3. *Requests* the Commission to continue to report to the Security Council on the progress of the investigation every four months, or at any other time as it deems appropriate;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 5648th meeting.

Decisions

At its 5664th meeting, on 17 April 2007, the Security Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the implementation of Security Council resolution 1701 (2006) (S/2007/147)".

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[55] See S/2007/150.

[56] S/2007/159, enclosure.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[57]

> "The Security Council recalls all its previous resolutions on Lebanon, in particular resolutions 425 (1978), 426 (1978), 520 (1982), 1559 (2004), 1680 (2006) and 1701 (2006), as well as the statements by its President on the situation in Lebanon, in particular the statement of 12 December 2006.[38]
>
> "The Council reiterates its full support for the legitimate and democratically elected Government of Lebanon, calls for full respect of the democratic institutions of the country, in conformity with its Constitution, and condemns any effort to destabilize Lebanon. The Council calls upon all Lebanese political parties to show responsibility with a view to preventing, through dialogue, further deterioration of the situation in Lebanon. It reaffirms its strong support for the sovereignty, territorial integrity, unity and political independence of Lebanon within its internationally recognized borders and under the sole and exclusive authority of the Government of Lebanon.
>
> "The Council welcomes the report of the Secretary-General of 14 March 2007 on the implementation of resolution 1701 (2006).[58] It notes with appreciation the indication by the Secretary-General that further progress has been made towards the implementation of resolution 1701 (2006). It reiterates its attachment to the full implementation of all provisions of the resolution and urges all concerned parties to cooperate fully with the Council and the Secretary-General to achieve a permanent ceasefire and a long-term solution as envisioned in the resolution.
>
> "The Council welcomes the completion of the second phase of the deployment of the United Nations Interim Force in Lebanon, expresses its strong appreciation to Member States that contribute to the Force and commends the active role of the Force, notably of its Commander, as well as of the United Nations Special Coordinator for Lebanon.
>
> "The Council, taking note of the observation of the Secretary-General that more can be done to consolidate the cessation of hostilities, urges the Governments of Israel and Lebanon to approve the temporary security arrangements for the northern part of the village of Ghajar and to further close liaison and coordination arrangements with the Force, notably through tripartite meetings. It also encourages the parties to cooperate with the Force to visibly mark the Blue Line, notably in sensitive areas in order to prevent inadvertent violations.
>
> "The Council welcomes the measures taken by the Government of Lebanon, with the assistance of the Force, to establish between the Blue Line and the Litani river an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and of the Force, and encourages the Government of Lebanon to strengthen its efforts to this end.
>
> "The Council reiterates its deep concern at the continuing Israeli violations of Lebanese air space, appeals to all parties concerned to respect the cessation of hostilities and the Blue Line in its entirety, to refrain from any act of provocation, and to abide scrupulously by their obligation to respect the safety of the Force and other United Nations personnel, including by avoiding any course of action which endangers United Nations personnel and by ensuring that the Force is accorded full freedom of movement throughout its area of operation.
>
> "The Council, in this context, expresses its serious concern at mounting information by Israel and another State of illegal movements of arms across the Lebanese-Syrian border in violation of resolution 1701 (2006). It welcomes the determination expressed and the

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[57] S/PRST/2007/12.

[58] S/2007/147.

measures taken by the Government of Lebanon to prevent such movements in conformity with relevant resolutions, notes that the Government of the Syrian Arab Republic has stated that it has taken measures and reiterates its call upon that Government to take further measures to reinforce controls at the border.

"The Council, taking note of the letter dated 13 April 2007 from the Secretary-General to the President of the Council,[59] welcomes the intention of the Secretary-General to evaluate the situation along the entire border and invites him to dispatch at the earliest, in close liaison with the Government of Lebanon, an independent mission to fully assess the monitoring of the border and to keep the Council informed on his contacts with the Government of Lebanon, and to report back to the Council, before his next report, on the findings and recommendations of the mission in this regard. The Council urges all parties to cooperate fully with the mission.

"The Council again urges all Member States, in particular those in the region, to take all necessary measures to implement in full paragraph 15 of resolution 1701 (2006) to enforce the arms embargo, and expresses its intention, upon reception of the recommendations of the Secretary-General, to take further concrete steps to achieve the goals set out in this paragraph.

"The Council welcomes any request by the Government of Lebanon for assistance to enhance Lebanon's border security capacities, including by supplying equipment and training. It welcomes in this regard the ongoing assistance provided by the Federal Republic of Germany, the United Arab Emirates and others, and encourages Member States, as suggested by the Secretary-General, to consider further assistance.

"The Council, while commending the steps taken by the Government of Lebanon to exercise its monopoly of the use of force throughout its territory, takes note with concern of reported activities of unauthorized armed elements outside of the area of operations of the Force and reiterates its call for disbanding and disarmament of all militias and armed groups in Lebanon. It expresses its deep concern at the report of recent statements made in this regard by the Hizbullah Secretary General, notably with regard to the seizure by the Lebanese authorities of a truckload of arms on 8 February 2007, and underscores that these statements are an open admission of activities which would constitute a violation of resolution 1701 (2006). It expresses concern at any allegation of rearming of Lebanese and non-Lebanese armed groups and militias and reiterates that there should be no sale or supply of arms and related materiel to Lebanon except as authorized by its Government.

"The Council expresses deepest worry at the presence in very high numbers of unexploded ordnance in southern Lebanon, including cluster munitions. It deplores the death and injury of dozens of civilians, as well as of several deminers, caused by those munitions since the cessation of hostilities. It supports in this context the request by the Secretary-General to Israel to provide to the United Nations detailed data on its use of cluster munitions in southern Lebanon.

"The Council notes with profound concern that there has been no progress on the issue of the return of the two Israeli soldiers abducted by Hizbullah on 12 July 2006 despite further intense efforts by the Secretary-General and his facilitator, and reiterates its call for their immediate and unconditional release.

"The Council further encourages efforts aimed at urgently settling the issue of the Lebanese prisoners detained in Israel.

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[59] S/2007/207.

"The Council commends the efforts of the Secretary-General and his facilitator towards an early resolution of those issues and reiterates its call upon all parties concerned to fully cooperate with the Secretary-General to this end.

"Bearing in mind the relevant provisions of resolutions 1559 (2004), 1680 (2006) and 1701 (2006), in particular paragraph 10 of resolution 1701 (2006), on the delineation of the Syrian-Lebanese border, the Council notes in this context the progress recently made by the senior cartographer appointed by the Secretary-General in reviewing relevant material and developing an accurate territorial definition of the Shebaa Farms area. Noting the expectation of the Secretary-General that the technical work will be completed by mid-June 2007 and his intention to report more fully at that time, the Council invites all parties to cooperate with the cartographer by providing any relevant material in their possession.

"The Council also reiterates its appreciation for the process launched by the Secretary-General to investigate the implications of the interim proposal contained in the seven-point plan of the Government of Lebanon[20] regarding the Shebaa Farms area. It looks forward to the early completion of this task in liaison with relevant parties and to further recommendations by the Secretary-General on this key issue.

"The Council reaffirms its full support to the Secretary-General in his efforts and dedication to facilitate and assist in the fulfilment of all provisions of resolution 1701 (2006).

"The Council stresses the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973."

At its 5685th meeting, on 30 May 2007, the Council decided to invite the Minister of Culture and Minister for Foreign Affairs ad interim of Lebanon to participate, without vote, in the discussion of the item entitled "The situation in the Middle East".

Resolution 1757 (2007)
of 30 May 2007

The Security Council,

Recalling all its previous relevant resolutions, in particular resolutions 1595 (2005) of 7 April 2005, 1636 (2005) of 31 October 2005, 1644 (2005) of 15 December 2005, 1664 (2006) of 29 March 2006 and 1748 (2007) of 27 March 2007,

Reaffirming its strongest condemnation of the terrorist bombings of 14 February 2005, as well as other attacks in Lebanon since October 2004,

Reiterating its call for the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon,

Recalling the letter dated 13 December 2005 from the Prime Minister of Lebanon to the Secretary-General requesting, inter alia, the establishment of a tribunal of an international character to try all those who are found responsible for this terrorist crime,[60] and the request by the Security Council for the Secretary-General to negotiate an agreement with the Government of Lebanon aimed at establishing such a tribunal based on the highest international standards of criminal justice,

Recalling also the report of the Secretary-General of 15 November 2006 on the establishment of a special tribunal for Lebanon reporting on the conclusion of negotiations and consultations that took place between January and September 2006 at United Nations Headquarters in New York, The Hague and Beirut between the Legal Counsel of the United

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[60] S/2005/783, annex.

Nations and authorized representatives of the Government of Lebanon,[30] and the letter dated 21 November 2006 from the President of the Security Council to the Secretary-General reporting that the members of the Council welcomed the conclusion of the negotiations and that they were satisfied with the agreement annexed to the report,[29]

Recalling further that, as set out in the letter dated 21 November 2006, should voluntary contributions be insufficient for the Tribunal to implement its mandate, the Secretary-General and the Security Council shall explore alternate means of financing the Tribunal,

Recalling that the Agreement between the United Nations and the Lebanese Republic on the establishment of a Special Tribunal for Lebanon was signed by the Government of Lebanon and the United Nations on 23 January and 6 February 2007 respectively,

Referring to the letter dated 14 May 2007 from the Prime Minister of Lebanon to the Secretary-General,[61] in which he recalled that the parliamentary majority had expressed its support for the Special Tribunal, and asked that his request that the Tribunal be put into effect be presented to the Council as a matter of urgency,

Mindful of the demand of the Lebanese people that all those responsible for the terrorist bombing that killed former Prime Minister of Lebanon Rafiq Hariri and others be identified and brought to justice,

Commending the Secretary-General for his continuing efforts to proceed, together with the Government of Lebanon, with the final steps for the conclusion of the Agreement as requested in the letter of the President of the Security Council dated 21 November 2006, and referring in this regard to the briefing by the Legal Counsel on 2 May 2007, in which he noted that the establishment of the Special Tribunal through the constitutional process is facing serious obstacles, but noting also that all parties concerned reaffirmed their agreement in principle to the establishment of the Tribunal,

Commending also the recent efforts of parties in the region to overcome these obstacles,

Willing to continue to assist Lebanon in the search for the truth and in holding all those involved in the terrorist attack accountable, and reaffirming its determination to support Lebanon in its efforts to bring to justice the perpetrators, organizers and sponsors of this and other assassinations,

Reaffirming its determination that this terrorist act and its implications constitute a threat to international peace and security,

1. *Decides*, acting under Chapter VII of the Charter of the United Nations, that:

(*a*) The provisions of the annexed document, including the attachment thereto, on the establishment of a Special Tribunal for Lebanon shall enter into force on 10 June 2007, unless the Government of Lebanon has provided notification under article 19, paragraph 1, of the annexed document before that date;

(*b*) If the Secretary-General reports that the headquarters agreement has not been concluded as envisioned under article 8 of the annexed document, the location of the seat of the Tribunal shall be determined in consultation with the Government of Lebanon and be subject to the conclusion of a headquarters agreement between the United Nations and the State that hosts the Tribunal;

(*c*) If the Secretary-General reports that contributions from the Government of Lebanon are not sufficient to bear the expenses described in article 5, paragraph 1 (*b*), of the annexed document, he may accept or use voluntary contributions from States to cover any shortfall;

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[61] S/2007/281, annex.

2. *Notes* that, pursuant to article 19, paragraph 2, of the annexed document, the Special Tribunal shall commence functioning on a date to be determined by the Secretary-General in consultation with the Government of Lebanon, taking into account the progress of the work of the International Independent Investigation Commission;

3. *Requests* the Secretary-General, in coordination, when appropriate, with the Government of Lebanon, to undertake the steps and measures necessary to establish the Special Tribunal in a timely manner and to report to the Council within ninety days and thereafter periodically on the implementation of the present resolution;

4. *Decides* to remain actively seized of the matter.

Adopted at the 5685th meeting
by 10 votes to none, with 5 abstentions
(China, Indonesia, Qatar, Russian Federation and South Africa).

Annex

Agreement between the United Nations and the Lebanese Republic on the establishment of a Special Tribunal for Lebanon

Whereas the Security Council, in its resolution 1664 (2006) of 29 March 2006, which responded to the request of the Government of Lebanon to establish a tribunal of an international character to try all those who are found responsible for the terrorist crime which killed the former Lebanese Prime Minister Rafiq Hariri and others, recalled all its previous resolutions, in particular resolutions 1595 (2005) of 7 April 2005, 1636 (2005) of 31 October 2005 and 1644 (2005) of 15 December 2005,

Whereas the Security Council has requested the Secretary-General of the United Nations (hereinafter "the Secretary-General") "to negotiate an agreement with the Government of Lebanon aimed at establishing a tribunal of an international character based on the highest international standards of criminal justice", taking into account the recommendations of the Secretary-General's report of 21 March 2006[62] and the views that have been expressed by Council members,

Whereas the Secretary-General and the Government of the Lebanese Republic (hereinafter "the Government") have conducted negotiations for the establishment of a Special Tribunal for Lebanon (hereinafter "the Special Tribunal" or "the Tribunal"),

Now therefore the United Nations and the Lebanese Republic (hereinafter referred to jointly as "the Parties") have agreed as follows:

Article 1
Establishment of the Special Tribunal

1. There is hereby established a Special Tribunal for Lebanon to prosecute persons responsible for the attack of 14 February 2005 resulting in the death of former Lebanese Prime Minister Rafiq Hariri and in the death or injury of other persons. If the Tribunal finds that other attacks that occurred in Lebanon between 1 October 2004 and 12 December 2005, or any later date decided by the Parties and with the consent of the Security Council, are connected in accordance with the principles of criminal justice and are of a nature and gravity similar to the attack of 14 February 2005, it shall also have jurisdiction over persons responsible for such attacks. This connection includes but is not limited to a combination of the following elements: criminal intent (motive), the purpose behind the attacks, the nature of the victims targeted, the pattern of the attacks (modus operandi) and the perpetrators.

2. The Special Tribunal shall function in accordance with the Statute of the Special Tribunal for Lebanon. The Statute is attached to this Agreement and forms an integral part thereof.

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[62] S/2006/176.

Article 2
Composition of the Special Tribunal and appointment of judges

1. The Special Tribunal shall consist of the following organs: the Chambers, the Prosecutor, the Registry and the Defence Office.

2. The Chambers shall be composed of a Pretrial Judge, a Trial Chamber and an Appeals Chamber, with a second Trial Chamber to be created if, after the passage of at least six months from the commencement of the functioning of the Special Tribunal, the Secretary-General or the President of the Special Tribunal so requests.

3. The Chambers shall be composed of no fewer than eleven independent judges and no more than fourteen such judges, who shall serve as follows:

(*a*) A single international judge shall serve as a Pretrial Judge;

(*b*) Three judges shall serve in the Trial Chamber, of whom one shall be a Lebanese judge and two shall be international judges;

(*c*) In the event of the creation of a second Trial Chamber, that Chamber shall be likewise composed in the manner contained in subparagraph (*b*) above;

(*d*) Five judges shall serve in the Appeals Chamber, of whom two shall be Lebanese judges and three shall be international judges; and

(*e*) Two alternate judges, of whom one shall be a Lebanese judge and one shall be an international judge.

4. The judges of the Tribunal shall be persons of high moral character, impartiality and integrity, with extensive judicial experience. They shall be independent in the performance of their functions and shall not accept or seek instructions from any Government or any other source.

5. (*a*) Lebanese judges shall be appointed by the Secretary-General to serve in the Trial Chamber or the Appeals Chamber or as an alternate judge from a list of twelve persons presented by the Government upon the proposal of the Lebanese Supreme Council of the Judiciary;

(*b*) International judges shall be appointed by the Secretary-General to serve as Pretrial Judge, a Trial Chamber Judge, an Appeals Chamber Judge or an alternate judge, upon nominations forwarded by States at the invitation of the Secretary-General, as well as by competent persons;

(*c*) The Government and the Secretary-General shall consult on the appointment of judges;

(*d*) The Secretary-General shall appoint judges, upon the recommendation of a selection panel he has established after indicating his intentions to the Security Council. The selection panel shall be composed of two judges, currently sitting on or retired from an international tribunal, and the representative of the Secretary-General.

6. At the request of the presiding judge of a Trial Chamber, the President of the Special Tribunal may, in the interest of justice, assign alternate judges to be present at each stage of the trial and to replace a judge if that judge is unable to continue sitting.

7. Judges shall be appointed for a three-year period and may be eligible for reappointment for a further period to be determined by the Secretary-General in consultation with the Government.

8. Lebanese judges appointed to serve in the Special Tribunal shall be given full credit for their period of service with the Tribunal on their return to the Lebanese national judiciaries from which they were released and shall be reintegrated at a level at least comparable to that of their former position.

Article 3
Appointment of a Prosecutor and a Deputy Prosecutor

1. The Secretary-General, after consultation with the Government, shall appoint a Prosecutor for a three-year term. The Prosecutor may be eligible for reappointment for a further period to be determined by the Secretary-General in consultation with the Government.

2. The Secretary-General shall appoint the Prosecutor, upon the recommendation of a selection panel he has established after indicating his intentions to the Security Council. The selection panel shall be composed of two judges, currently sitting on or retired from an international tribunal, and the representative of the Secretary-General.

3. The Government, in consultation with the Secretary-General and the Prosecutor, shall appoint a Lebanese Deputy Prosecutor to assist the Prosecutor in the conduct of the investigations and prosecutions.

4. The Prosecutor and the Deputy Prosecutor shall be of high moral character and possess the highest level of professional competence and extensive experience in the conduct of investigations and prosecutions of criminal cases. The Prosecutor and the Deputy Prosecutor shall be independent in the performance of their functions and shall not accept or seek instructions from any Government or any other source.

5. The Prosecutor shall be assisted by such Lebanese and international staff as may be required to perform the functions assigned to him or her effectively and efficiently.

Article 4
Appointment of a Registrar

1. The Secretary-General shall appoint a Registrar who shall be responsible for the servicing of the Chambers and the Office of the Prosecutor, and for the recruitment and administration of all support staff. He or she shall also administer the financial and staff resources of the Special Tribunal.

2. The Registrar shall be a staff member of the United Nations. He or she shall serve a three-year term and may be eligible for reappointment for a further period to be determined by the Secretary-General in consultation with the Government.

Article 5
Financing of the Special Tribunal

1. The expenses of the Special Tribunal shall be borne in the following manner:

(*a*) Fifty-one per cent of the expenses of the Tribunal shall be borne by voluntary contributions from States;

(*b*) Forty-nine per cent of the expenses of the Tribunal shall be borne by the Government of Lebanon.

2. It is understood that the Secretary-General will commence the process of establishing the Tribunal when he has sufficient contributions in hand to finance the establishment of the Tribunal and twelve months of its operations plus pledges equal to the anticipated expenses of the following twenty-four months of the Tribunal's operation. Should voluntary contributions be insufficient for the Tribunal to implement its mandate, the Secretary-General and the Security Council shall explore alternate means of financing the Tribunal.

Article 6
Management Committee

The parties shall consult concerning the establishment of a Management Committee.

Article 7
Juridical capacity

The Special Tribunal shall possess the juridical capacity necessary:

(*a*) To contract;

(*b*) To acquire and dispose of movable and immovable property;

(*c*) To institute legal proceedings;

(*d*) To enter into agreements with States as may be necessary for the exercise of its functions and for the operation of the Tribunal.

Article 8
Seat of the Special Tribunal

1. The Special Tribunal shall have its seat outside Lebanon. The location of the seat shall be determined having due regard to considerations of justice and fairness as well as security and administrative efficiency, including the rights of victims and access to witnesses, and subject to the conclusion of a headquarters agreement between the United Nations, the Government and the State that hosts the Tribunal.

2. The Special Tribunal may meet away from its seat when it considers it necessary for the efficient exercise of its functions.

3. An Office of the Special Tribunal for the conduct of investigations shall be established in Lebanon subject to the conclusion of appropriate arrangements with the Government.

Article 9
Inviolability of premises, archives and all other documents

1. The Office of the Special Tribunal in Lebanon shall be inviolable. The competent authorities shall take appropriate action that may be necessary to ensure that the Tribunal shall not be dispossessed of all or any part of the premises of the Tribunal without its express consent.

2. The property, funds and assets of the Office of the Special Tribunal in Lebanon, wherever located and by whomsoever held, shall be immune from search, seizure, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

3. The archives of the Office of the Special Tribunal in Lebanon, and in general all documents and materials made available, belonging to or used by it, wherever located and by whomsoever held, shall be inviolable.

Article 10
Funds, assets and other property

The Office of the Special Tribunal, its funds, assets and other property in Lebanon, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process, except insofar as in any particular case the Tribunal has expressly waived its immunity. It is understood, however, that no waiver of immunity shall extend to any measure of execution.

Article 11
Privileges and immunities of the judges, the Prosecutor, the Deputy Prosecutor, the Registrar and the Head of the Defence Office

1. The judges, the Prosecutor, the Deputy Prosecutor, the Registrar and the Head of the Defence Office, while in Lebanon, shall enjoy the privileges and immunities, exemptions and facilities accorded to diplomatic agents in accordance with the Vienna Convention on Diplomatic Relations of 1961.

2. Privileges and immunities are accorded to the judges, the Prosecutor, the Deputy Prosecutor, the Registrar and the Head of the Defence Office in the interest of the Special Tribunal and not for the personal benefit of the individuals themselves. The right and the duty to waive the immunity in any case where it can be waived without prejudice to the purposes for which it is accorded shall lie with the Secretary-General, in consultation with the President of the Tribunal.

Article 12
Privileges and immunities of international and Lebanese personnel

1. Lebanese and international personnel of the Office of the Special Tribunal, while in Lebanon, shall be accorded:

(*a*) Immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity. Such immunity shall continue to be accorded after termination of employment with the Office of the Special Tribunal;

(*b*) Exemption from taxation on salaries, allowances and emoluments paid to them.

2. International personnel shall, in addition thereto, be accorded:

(*a*) Immunity from immigration restriction;

(*b*) The right to import free of duties and taxes, except for payment for services, their furniture and effects at the time of first taking up their official duties in Lebanon.

3. The privileges and immunities are granted to the officials of the Office of the Special Tribunal in the interest of the Tribunal and not for their personal benefit. The right and the duty to waive the immunity in any case where it can be waived without prejudice to the purpose for which it is accorded shall lie with the Registrar of the Tribunal.

Article 13
Defence counsel

1. The Government shall ensure that the counsel of a suspect or an accused who has been admitted as such by the Special Tribunal shall not be subjected, while in Lebanon, to any measure that may affect the free and independent exercise of his or her functions.

2. In particular, the counsel shall be accorded:

(*a*) Immunity from personal arrest or detention and from seizure of personal baggage;

(*b*) Inviolability of all documents relating to the exercise of his or her functions as a counsel of a suspect or accused;

(*c*) Immunity from criminal or civil jurisdiction in respect of words spoken or written and acts performed in his or her capacity as counsel. Such immunity shall continue to be accorded after termination of his or her functions as a counsel of a suspect or accused;

(*d*) Immunity from any immigration restrictions during his or her stay as well as during his or her journey to the Tribunal and back.

Article 14
Security, safety and protection of persons referred to in this Agreement

The Government shall take effective and adequate measures to ensure the appropriate security, safety and protection of personnel of the Office of the Special Tribunal and other persons referred to in this Agreement, while in Lebanon. It shall take all appropriate steps, within its capabilities, to protect the equipment and premises of the Office of the Special Tribunal from attack or any action that prevents the Tribunal from discharging its mandate.

Article 15
Cooperation with the Special Tribunal

1. The Government shall cooperate with all organs of the Special Tribunal, in particular with the Prosecutor and defence counsel, at all stages of the proceedings. It shall facilitate access of the Prosecutor and defence counsel to sites, persons and relevant documents required for the investigation.

2. The Government shall comply without undue delay with any request for assistance by the Special Tribunal or an order issued by the Chambers, including, but not limited to:

(*a*) Identification and location of persons;

(*b*) Service of documents;

(*c*) Arrest or detention of persons;

(*d*) Transfer of an indictee to the Tribunal.

Article 16
Amnesty

The Government undertakes not to grant amnesty to any person for any crime falling within the jurisdiction of the Special Tribunal. An amnesty already granted in respect of any such persons and crimes shall not be a bar to prosecution.

Article 17
Practical arrangements

With a view to achieving efficiency and cost-effectiveness in the operation of the Special Tribunal:

(*a*) Appropriate arrangements shall be made to ensure that there is a coordinated transition from the activities of the International Independent Investigation Commission, established by the Security Council in its resolution 1595 (2005), to the activities of the Office of the Prosecutor;

(*b*) Judges of the Trial Chamber and the Appeals Chamber shall take office on a date to be determined by the Secretary-General in consultation with the President of the Special Tribunal. Pending such a determination, judges of both Chambers shall be convened on an ad hoc basis to deal with organizational matters and serving, when required, to perform their duties.

Article 18
Settlement of disputes

Any dispute between the Parties concerning the interpretation or application of this Agreement shall be settled by negotiation or by any other mutually agreed upon mode of settlement.

Article 19
Entry into force and commencement of the functioning of the Special Tribunal

1. This Agreement shall enter into force on the day after the Government has notified the United Nations in writing that the legal requirements for entry into force have been complied with.

2. The Special Tribunal shall commence functioning on a date to be determined by the Secretary-General in consultation with the Government, taking into account the progress of the work of the International Independent Investigation Commission.

Article 20
Amendment

This Agreement may be amended by written agreement between the Parties.

Article 21
Duration of the Agreement

1. This Agreement shall remain in force for a period of three years from the date of the commencement of the functioning of the Special Tribunal.

2. Three years after the commencement of the functioning of the Special Tribunal the Parties shall, in consultation with the Security Council, review the progress of the work of the Special Tribunal. If at the end of this period of three years the activities of the Tribunal have not been completed, the Agreement shall be extended to allow the Tribunal to complete its work, for a further period(s) to be determined by the Secretary-General in consultation with the Government and the Security Council.

3. The provisions relating to the inviolability of the funds, assets, archives and documents of the Office of the Special Tribunal in Lebanon, the privileges and immunities of those referred to in this Agreement, as well as provisions relating to defence counsel and the protection of victims and witnesses, shall survive termination of this Agreement.

In witness whereof, the following duly authorized representatives of the United Nations and of the Lebanese Republic have signed this Agreement.

Done at __________ on __________ 2006, in three originals in the Arabic, French and English languages, all texts being equally authentic.

For the United Nations: For the Lebanese Republic:

__________________ ______________________

Attachment
Statute of the Special Tribunal for Lebanon

Having been established by an Agreement between the United Nations and the Lebanese Republic (hereinafter "the Agreement") pursuant to Security Council resolution 1664 (2006) of 29 March 2006, which responded to the request of the Government of Lebanon to establish a tribunal of an international character to try all those who are found responsible for the terrorist crime which killed the former Lebanese Prime Minister Rafiq Hariri and others, the Special Tribunal for Lebanon (hereinafter "the Special Tribunal") shall function in accordance with the provisions of this Statute.

Section I
Jurisdiction and applicable law

Article 1
Jurisdiction of the Special Tribunal

The Special Tribunal shall have jurisdiction over persons responsible for the attack of 14 February 2005 resulting in the death of former Lebanese Prime Minister Rafiq Hariri and in the death or injury of other persons. If the Tribunal finds that other attacks that occurred in Lebanon between 1 October 2004 and 12 December 2005, or any later date decided by the Parties and with the consent of the Security Council, are connected in accordance with the principles of criminal justice and are of a nature and gravity similar to the attack of 14 February 2005, it shall also have jurisdiction over persons responsible for such attacks. This connection includes but is not limited to a combination of the following elements: criminal intent (motive), the purpose behind the attacks, the nature of the victims targeted, the pattern of the attacks (modus operandi) and the perpetrators.

Article 2
Applicable criminal law

The following shall be applicable to the prosecution and punishment of the crimes referred to in article 1, subject to the provisions of this Statute:

(*a*) The provisions of the Lebanese Criminal Code relating to the prosecution and punishment of acts of terrorism, crimes and offences against life and personal integrity, illicit associations and failure to report crimes and offences, including the rules regarding the material elements of a crime, criminal participation and conspiracy; and

(*b*) Articles 6 and 7 of the Lebanese law of 11 January 1958 on "Increasing the penalties for sedition, civil war and interfaith struggle".

Article 3
Individual criminal responsibility

1. A person shall be individually responsible for crimes within the jurisdiction of the Special Tribunal if that person:

(*a*) Committed, participated as accomplice, organized or directed others to commit the crime set forth in article 2 of this Statute; or

(*b*) Contributed in any other way to the commission of the crime set forth in article 2 of this Statute by a group of persons acting with a common purpose, where such contribution is intentional and is either made with the aim of furthering the general criminal activity or purpose of the group or in the knowledge of the intention of the group to commit the crime.

2. With respect to superior and subordinate relationships, a superior shall be criminally responsible for any of the crimes set forth in article 2 of this Statute committed by subordinates under his or her effective authority and control, as a result of his or her failure to exercise control properly over such subordinates, where:

(*a*) The superior either knew, or consciously disregarded information that clearly indicated that the subordinates were committing or about to commit such crimes;

(*b*) The crimes concerned activities that were within the effective responsibility and control of the superior; and

(*c*) The superior failed to take all necessary and reasonable measures within his or her power to prevent or repress their commission or to submit the matter to the competent authorities for investigation and prosecution.

3. The fact that the person acted pursuant to an order of a superior shall not relieve him or her of criminal responsibility, but may be considered in mitigation of punishment if the Special Tribunal determines that justice so requires.

Article 4
Concurrent jurisdiction

1. The Special Tribunal and the national courts of Lebanon shall have concurrent jurisdiction. Within its jurisdiction, the Tribunal shall have primacy over the national courts of Lebanon.

2 Upon the assumption of office of the Prosecutor, as determined by the Secretary-General, and no later than two months thereafter, the Special Tribunal shall request the national judicial authority seized with the case of the attack against Prime Minister Rafiq Hariri and others to defer to its competence. The Lebanese judicial authority shall refer to the Tribunal the results of the investigation and a copy of the court's records, if any. Persons detained in connection with the investigation shall be transferred to the custody of the Tribunal.

3. (*a*) At the request of the Special Tribunal, the national judicial authority seized with any of the other crimes committed between 1 October 2004 and 12 December 2005, or a later date

decided pursuant to article 1, shall refer to the Tribunal the results of the investigation and a copy of the court's records, if any, for review by the Prosecutor;

(*b*) At the further request of the Tribunal, the national authority in question shall defer to the competence of the Tribunal. It shall refer to the Tribunal the results of the investigation and a copy of the court's records, if any, and persons detained in connection with any such case shall be transferred to the custody of the Tribunal;

(*c*) The national judicial authorities shall regularly inform the Tribunal of the progress of their investigation. At any stage of the proceedings, the Tribunal may formally request a national judicial authority to defer to its competence.

Article 5
Non bis in idem

1. No person shall be tried before a national court of Lebanon for acts for which he or she has already been tried by the Special Tribunal.

2. A person who has been tried by a national court may be subsequently tried by the Special Tribunal if the national court proceedings were not impartial or independent, were designed to shield the accused from criminal responsibility for crimes within the jurisdiction of the Tribunal or the case was not diligently prosecuted.

3. In considering the penalty to be imposed on a person convicted of a crime under this Statute, the Special Tribunal shall take into account the extent to which any penalty imposed by a national court on the same person for the same act has already been served.

Article 6
Amnesty

An amnesty granted to any person for any crime falling within the jurisdiction of the Special Tribunal shall not be a bar to prosecution.

Section II
Organization of the Special Tribunal

Article 7
Organs of the Special Tribunal

The Special Tribunal shall consist of the following organs:

(*a*) The Chambers, comprising a Pretrial Judge, a Trial Chamber and an Appeals Chamber;

(*b*) The Prosecutor;

(*c*) The Registry; and

(*d*) The Defence Office.

Article 8
Composition of the Chambers

1. The Chambers shall be composed as follows:

(*a*) One international Pretrial Judge;

(*b*) Three judges who shall serve in the Trial Chamber, of whom one shall be a Lebanese judge and two shall be international judges;

(*c*) Five judges who shall serve in the Appeals Chamber, of whom two shall be Lebanese judges and three shall be international judges;

(*d*) Two alternate judges, one of whom shall be a Lebanese judge and one shall be an international judge.

2. The judges of the Appeals Chamber and the judges of the Trial Chamber, respectively, shall elect a presiding judge who shall conduct the proceedings in the Chamber to which he or she was elected. The presiding judge of the Appeals Chamber shall be the President of the Special Tribunal.

3. At the request of the presiding judge of the Trial Chamber, the President of the Special Tribunal may, in the interest of justice, assign the alternate judges to be present at each stage of the trial and to replace a judge if that judge is unable to continue sitting.

Article 9
Qualification and appointment of judges

1. The judges shall be persons of high moral character, impartiality and integrity, with extensive judicial experience. They shall be independent in the performance of their functions and shall not accept or seek instructions from any Government or any other source.

2. In the overall composition of the Chambers, due account shall be taken of the established competence of the judges in criminal law and procedure and international law.

3. The judges shall be appointed by the Secretary-General, as set forth in article 2 of the Agreement, for a three-year period and may be eligible for reappointment for a further period to be determined by the Secretary-General in consultation with the Government.

Article 10
Powers of the President of the Special Tribunal

1. The President of the Special Tribunal, in addition to his or her judicial functions, shall represent the Tribunal and be responsible for its effective functioning and the good administration of justice.

2. The President of the Special Tribunal shall submit an annual report on the operation and activities of the Tribunal to the Secretary-General and to the Government of Lebanon.

Article 11
The Prosecutor

1. The Prosecutor shall be responsible for the investigation and prosecution of persons responsible for the crimes falling within the jurisdiction of the Special Tribunal. In the interest of proper administration of justice, he or she may decide to charge jointly persons accused of the same or different crimes committed in the course of the same transaction.

2. The Prosecutor shall act independently as a separate organ of the Special Tribunal. He or she shall not seek or receive instructions from any Government or from any other source.

3. The Prosecutor shall be appointed, as set forth in article 3 of the Agreement, by the Secretary-General for a three-year term and may be eligible for reappointment for a further period to be determined by the Secretary-General in consultation with the Government. He or she shall be of high moral character and possess the highest level of professional competence, and have extensive experience in the conduct of investigations and prosecutions of criminal cases.

4. The Prosecutor shall be assisted by a Lebanese Deputy Prosecutor and by such other Lebanese and international staff as may be required to perform the functions assigned to him or her effectively and efficiently.

5. The Office of the Prosecutor shall have the power to question suspects, victims and witnesses, to collect evidence and to conduct on-site investigations. In carrying out these tasks, the Prosecutor shall, as appropriate, be assisted by the Lebanese authorities concerned.

Article 12
The Registry

1. Under the authority of the President of the Special Tribunal, the Registry shall be responsible for the administration and servicing of the Tribunal.

2. The Registry shall consist of a Registrar and such other staff as may be required.

3. The Registrar shall be appointed by the Secretary-General and shall be a staff member of the United Nations. He or she shall serve for a three-year term and may be eligible for reappointment for a further period to be determined by the Secretary-General in consultation with the Government.

4. The Registrar shall set up a Victims and Witnesses Unit within the Registry. This Unit shall provide, in consultation with the Office of the Prosecutor, measures to protect the safety, physical and psychological well-being, dignity and privacy of victims and witnesses, and such other appropriate assistance for witnesses who appear before the Special Tribunal and others who are at risk on account of testimony given by such witnesses.

Article 13
The Defence Office

1. The Secretary-General, in consultation with the President of the Special Tribunal, shall appoint an independent Head of the Defence Office, who shall be responsible for the appointment of the Office staff and the drawing up of a list of defence counsel.

2. The Defence Office, which may also include one or more public defenders, shall protect the rights of the defence, provide support and assistance to defence counsel and to the persons entitled to legal assistance, including, where appropriate, legal research, collection of evidence and advice, and appearing before the Pretrial Judge or a Chamber in respect of specific issues.

Article 14
Official and working languages

The official languages of the Special Tribunal shall be Arabic, French and English. In any given case proceedings, the Pretrial Judge or a Chamber may decide that one or two of the languages may be used as working languages as appropriate.

Section III
Rights of defendants and victims

Article 15
Rights of suspects during investigation

A suspect who is to be questioned by the Prosecutor shall not be compelled to incriminate himself or herself or to confess guilt. He or she shall have the following rights of which he or she shall be informed by the Prosecutor prior to questioning, in a language he or she speaks and understands:

(*a*) The right to be informed that there are grounds to believe that he or she has committed a crime within the jurisdiction of the Special Tribunal;

(*b*) The right to remain silent, without such silence being considered in the determination of guilt or innocence, and to be cautioned that any statement he or she makes shall be recorded and may be used in evidence;

(*c*) The right to have legal assistance of his or her own choosing, including the right to have legal assistance provided by the Defence Office where the interests of justice so require and where the suspect does not have sufficient means to pay for it;

(*d*) The right to have the free assistance of an interpreter if he or she cannot understand or speak the language used for questioning;

(*e*) The right to be questioned in the presence of counsel unless the person has voluntarily waived his or her right to counsel.

Article 16
Rights of the accused

1. All accused shall be equal before the Special Tribunal.

2. The accused shall be entitled to a fair and public hearing, subject to measures ordered by the Special Tribunal for the protection of victims and witnesses.

3. (*a*) The accused shall be presumed innocent until proved guilty according to the provisions of this Statute;

(*b*) The onus is on the Prosecutor to prove the guilt of the accused;

(*c*) In order to convict the accused, the relevant Chamber must be convinced of the guilt of the accused beyond reasonable doubt.

4. In the determination of any charge against the accused pursuant to this Statute, he or she shall be entitled to the following minimum guarantees, in full equality:

(*a*) To be informed promptly and in detail in a language which he or she understands of the nature and cause of the charge against him or her;

(*b*) To have adequate time and facilities for the preparation of his or her defence and to communicate without hindrance with counsel of his or her own choosing;

(*c*) To be tried without undue delay;

(*d*) Subject to the provisions of article 22, to be tried in his or her presence, and to defend himself or herself in person or through legal assistance of his or her own choosing; to be informed, if he or she does not have legal assistance, of this right; and to have legal assistance assigned to him or her, in any case where the interests of justice so require and without payment by him or her in any such case if he or she does not have sufficient means to pay for it;

(*e*) To examine, or have examined, the witnesses against him or her and to obtain the attendance and examination of witnesses on his or her behalf under the same conditions as witnesses against him or her;

(*f*) To examine all evidence to be used against him or her during the trial in accordance with the Rules of Procedure and Evidence of the Special Tribunal;

(*g*) To have the free assistance of an interpreter if he or she cannot understand or speak the language used in the Special Tribunal;

(*h*) Not to be compelled to testify against himself or herself or to confess guilt.

5. The accused may make statements in court at any stage of the proceedings, provided such statements are relevant to the case at issue. The Chambers shall decide on the probative value, if any, of such statements.

Article 17
Rights of victims

Where the personal interests of the victims are affected, the Special Tribunal shall permit their views and concerns to be presented and considered at stages of the proceedings determined to be appropriate by the Pretrial Judge or the Chamber and in a manner that is not prejudicial to or inconsistent with the rights of the accused and a fair and impartial trial. Such views and concerns may be presented by the legal representatives of the victims where the Pretrial Judge or the Chamber considers it appropriate.

Section IV
Conduct of proceedings

Article 18
Pretrial proceedings

1. The Pretrial Judge shall review the indictment. If satisfied that a prima facie case has been established by the Prosecutor, he or she shall confirm the indictment. If he or she is not so satisfied, the indictment shall be dismissed.

2. The Pretrial Judge may, at the request of the Prosecutor, issue such orders and warrants for the arrest or transfer of persons, and any other orders as may be required for the conduct of the investigation and for the preparation of a fair and expeditious trial.

Article 19
Evidence collected prior to the establishment of the Special Tribunal

Evidence collected with regard to cases subject to the consideration of the Special Tribunal, prior to the establishment of the Tribunal, by the national authorities of Lebanon or by the International Independent Investigation Commission in accordance with its mandate as set out in Security Council resolution 1595 (2005) and subsequent resolutions, shall be received by the Tribunal. Its admissibility shall be decided by the Chambers pursuant to international standards on collection of evidence. The weight to be given to any such evidence shall be determined by the Chambers.

Article 20
Commencement and conduct of trial proceedings

1. The Trial Chamber shall read the indictment to the accused, satisfy itself that the rights of the accused are respected, confirm that the accused understands the indictment and instruct the accused to enter a plea.

2. Unless otherwise decided by the Trial Chamber in the interests of justice, examination of witnesses shall commence with questions posed by the presiding judge, followed by questions posed by other members of the Trial Chamber, the Prosecutor and the Defence.

3. Upon request or *proprio motu*, the Trial Chamber may at any stage of the trial decide to call additional witnesses and/or order the production of additional evidence.

4. The hearings shall be public unless the Trial Chamber decides to hold the proceedings in camera in accordance with the Rules of Procedure and Evidence.

Article 21
Powers of the Chambers

1. The Special Tribunal shall confine the trial, appellate and review proceedings strictly to an expeditious hearing of the issues raised by the charges, or the grounds for appeal or review, respectively. It shall take strict measures to prevent any action that may cause unreasonable delay.

2. A Chamber may admit any relevant evidence that it deems to have probative value and exclude such evidence if its probative value is substantially outweighed by the need to ensure a fair trial.

3. A Chamber may receive the evidence of a witness orally or, where the interests of justice allow, in written form.

4. In cases not otherwise provided for in the Rules of Procedure and Evidence, a Chamber shall apply rules of evidence that will best favour a fair determination of the matter before it and are consonant with the spirit of the Statute and the general principles of law.

Article 22
Trials in absentia

1. The Special Tribunal shall conduct trial proceedings in the absence of the accused, if he or she:

(*a*) Has expressly and in writing waived his or her right to be present;

(*b*) Has not been handed over to the Tribunal by the State authorities concerned;

(*c*) Has absconded or otherwise cannot be found and all reasonable steps have been taken to secure his or her appearance before the Tribunal and to inform him or her of the charges confirmed by the Pretrial Judge.

2. When hearings are conducted in the absence of the accused, the Special Tribunal shall ensure that:

(*a*) The accused has been notified, or served with the indictment, or notice has otherwise been given of the indictment through publication in the media or communication to the State of residence or nationality;

(*b*) The accused has designated a defence counsel of his or her own choosing, to be remunerated either by the accused or, if the accused is proved to be indigent, by the Tribunal;

(*c*) Whenever the accused refuses or fails to appoint a defence counsel, such counsel has been assigned by the Defence Office of the Tribunal with a view to ensuring full representation of the interests and rights of the accused.

3. In case of conviction in absentia, the accused, if he or she had not designated a defence counsel of his or her choosing, shall have the right to be retried in his or her presence before the Special Tribunal, unless he or she accepts the judgement.

Article 23
Judgement

The judgement shall be rendered by a majority of the judges of the Trial Chamber or of the Appeals Chamber and shall be delivered in public. It shall be accompanied by a reasoned opinion in writing, to which any separate or dissenting opinions shall be appended.

Article 24
Penalties

1. The Trial Chamber shall impose upon a convicted person imprisonment for life or for a specified number of years. In determining the terms of imprisonment for the crimes provided for in this Statute, the Trial Chamber shall, as appropriate, have recourse to international practice regarding prison sentences and to the practice of the national courts of Lebanon.

2. In imposing sentence, the Trial Chamber should take into account such factors as the gravity of the offence and the individual circumstances of the convicted person.

Article 25
Compensation to victims

1. The Special Tribunal may identify victims who have suffered harm as a result of the commission of crimes by an accused convicted by the Tribunal.

2. The Registrar shall transmit to the competent authorities of the State concerned the judgement finding the accused guilty of a crime that has caused harm to a victim.

3. Based on the decision of the Special Tribunal and pursuant to the relevant national legislation, a victim or persons claiming through the victim, whether or not such victim had been identified as such by the Tribunal under paragraph 1 of this article, may bring an action in a national court or other competent body to obtain compensation.

4. For the purposes of a claim made under paragraph 3 of this article, the judgement of the Special Tribunal shall be final and binding as to the criminal responsibility of the convicted person.

Article 26
Appellate proceedings

1. The Appeals Chamber shall hear appeals from persons convicted by the Trial Chamber or from the Prosecutor on the following grounds:

(*a*) An error on a question of law invalidating the decision;

(*b*) An error of fact that has occasioned a miscarriage of justice.

2. The Appeals Chamber may affirm, reverse or revise the decisions taken by the Trial Chamber.

Article 27
Review proceedings

1. Where a new fact has been discovered that was not known at the time of the proceedings before the Trial Chamber or the Appeals Chamber and that could have been a decisive factor in reaching the decision, the convicted person or the Prosecutor may submit an application for review of the judgement.

2. An application for review shall be submitted to the Appeals Chamber. The Appeals Chamber may reject the application if it considers it to be unfounded. If it determines that the application is meritorious, it may, as appropriate:

(*a*) Reconvene the Trial Chamber;

(*b*) Retain jurisdiction over the matter.

Article 28
Rules of Procedure and Evidence

1. The judges of the Special Tribunal shall, as soon as practicable after taking office, adopt Rules of Procedure and Evidence for the conduct of the pretrial, trial and appellate proceedings, the admission of evidence, the participation of victims, the protection of victims and witnesses and other appropriate matters and may amend them, as appropriate.

2. In so doing, the judges shall be guided, as appropriate, by the Lebanese Code of Criminal Procedure, as well as by other reference materials reflecting the highest standards of international criminal procedure, with a view to ensuring a fair and expeditious trial.

Article 29
Enforcement of sentences

1. Imprisonment shall be served in a State designated by the President of the Special Tribunal from a list of States that have indicated their willingness to accept persons convicted by the Tribunal.

2. Conditions of imprisonment shall be governed by the law of the State of enforcement subject to the supervision of the Special Tribunal. The State of enforcement shall be bound by the duration of the sentence, subject to article 30 of this Statute.

Article 30
Pardon or commutation of sentences

If, pursuant to the applicable law of the State in which the convicted person is imprisoned, he or she is eligible for pardon or commutation of sentence, the State concerned shall notify the Special Tribunal accordingly. There shall only be pardon or commutation of sentence if the President of the Tribunal, in consultation with the judges, so decides on the basis of the interests of justice and the general principles of law.

Decisions

At its 5691st meeting, on 11 June 2007, the Security Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

"Fifth semi-annual report of the Secretary-General on the implementation of Security Council resolution 1559 (2004) (S/2007/262)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Terje Roed-Larsen, Special Envoy of the Secretary-General for the Implementation of Security Council resolution 1559 (2004).

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[63]

"The Security Council recalls all its previous resolutions on Lebanon, in particular resolutions 425 (1978), 426 (1978), 520 (1982), 1559 (2004), 1680 (2006) and 1701 (2006), as well as the statements by its President on the situation in Lebanon, in particular the statements of 18 June 2000,[15] 19 October 2004,[16] 4 May 2005,[17] 23 January,[18] 30 October[24] and 12 December 2006[35] and 17 April 2007.[57]

"The Council welcomes the fifth semi-annual report of 7 May 2007 on the implementation of resolution 1559 (2004).[64]

"The Council reiterates its full support for the legitimate and democratically elected Government of Lebanon, calls for full respect for the democratic institutions of the country, in conformity with its Constitution, and condemns any effort to destabilize Lebanon. The Council calls upon all Lebanese political parties to show responsibility with a view to preventing, through dialogue, further deterioration of the situation in Lebanon. Recognizing the need to hold free and fair presidential elections in conformity with the Lebanese Constitution and without any foreign interference and influence, the Council urges political parties in Lebanon to relaunch a national dialogue with the aim of reaching an agreement to settle all political issues.

"The Council reaffirms its strong support for the territorial integrity, sovereignty, unity and political independence of Lebanon within its internationally recognized borders and under the sole and exclusive authority of the Government of Lebanon.

"The Council condemns the ongoing criminal and terrorist acts in Lebanon, including those perpetrated by Fatah al-Islam, and fully supports the efforts carried out by the Lebanese Government and army to ensure security and stability throughout Lebanon. The Council underlines the need to protect and give assistance to the civilian population, notably the Palestinian refugees. The Council reiterates that there should be no weapons in Lebanon without the consent of its Government and no authority other than that of its Government.

"The Council notes with appreciation that further progress has been made towards the implementation of resolution 1559 (2004), in particular through the extension of the authority of the Government of Lebanon throughout its territory, particularly in the south, but it also notes with regret that some provisions of resolution 1559 (2004) have yet to be fully implemented, particularly the disbanding and disarming of Lebanese and non-Lebanese militias, the strict respect for the sovereignty, territorial integrity, unity and political independence of Lebanon, and free and fair presidential elections conducted according to the Lebanese constitutional rules, without any foreign interference and influence.

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[63] S/PRST/2007/17.

[64] S/2007/262.

"The Council reiterates its deep concern at mounting information by Israel and other States of illegal movements of arms into Lebanon, and in particular across the Lebanese-Syrian border, and looks forward to the conclusions of the Lebanon Independent Border Assessment Team. It reiterates its call for the strict respect for Lebanon's sovereignty and territorial integrity, including its airspace.

"The Council reiterates its call for the full implementation of resolution 1559 (2004) and urges all concerned States and parties as mentioned in the report to cooperate fully with the Government of Lebanon, the Council and the Secretary-General to achieve this goal.

"The Council reaffirms its support to the Secretary-General and his Special Envoy in their efforts and dedication to facilitate and assist in the implementation of all provisions of resolutions 1559 (2004) and 1680 (2006) and looks forward to the next report of the Secretary-General on the implementation of resolution 1701 (2006) and to his further recommendations on the relevant outstanding issues."

At its 5694th meeting, on 13 June 2007, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled "The situation in the Middle East".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[65]

"The Security Council unequivocally condemns the terrorist attack in Beirut on 13 June 2007 which killed at least nine persons, including Member of Parliament Walid Eido, and injured several others. The Council expresses its deepest sympathy and condolences to the families of the victims and to the people and Government of Lebanon.

"The Council commends the determination and commitment of the Government of Lebanon to bring to justice the perpetrators, organizers and sponsors of this and other assassinations and underlines its determination to support the Government of Lebanon in its efforts to this end.

"The Council condemns any attempt to destabilize Lebanon, including through political assassination or other terrorist acts. The Council reiterates its full support to the ongoing efforts of the Government and people of Lebanon to combat terrorism, solidify democracy and institutions through national dialogue, and extend the authority of the Government of Lebanon throughout its territory.

"The Council calls upon all parties in Lebanon and the region to show restraint and a sense of responsibility with a view to preventing any further deterioration of the situation in Lebanon. The Council urges all States, in accordance with its resolutions 1373 (2001), 1566 (2004) and 1624 (2005), to cooperate fully in the fight against terrorism.

"The Council reaffirms its previous calls upon all parties concerned to cooperate fully and urgently with the Council for the full implementation of all relevant resolutions, in particular those concerning the restoration of the territorial integrity, full sovereignty and political independence of Lebanon.

"The Council requests the Secretary-General to continue to follow closely and report regularly to the Council on the situation in Lebanon."

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[65] S/PRST/2007/18.

On 13 June 2007, the President of the Security Council addressed the following letter to the Secretary-General:[66]

> "I have the honour to inform you that your letter dated 8 June 2007 concerning your intention to extend, until 31 December 2007, the appointment of Mr. Serge Brammertz, of Belgium, as the Commissioner of the International Independent Investigation Commission into the assassination of former Lebanese Prime Minister Rafiq Hariri established pursuant to resolution 1595 (2005)[67] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 14 June 2007, the President of the Security Council addressed the following letter to the Secretary-General:[68]

> "The members of the Security Council have carefully considered your letter dated 13 June 2007 regarding the request of the Government of Lebanon for technical assistance from the International Independent Investigation Commission in the effort to investigate the murder of Member of Parliament Walid Eido on 13 June 2007.[69]
>
> "Determined to continue to assist the Government of Lebanon in the search for the truth and to bring to justice the perpetrators, organizers and sponsors of that terrorist attack and of other terrorist attacks and assassinations committed in Lebanon since October 2004,[65] we refer to resolutions 1644 (2005) and 1748 (2007) and invite the Commission to extend appropriate technical assistance to the Lebanese authorities in the investigation and the Secretary-General to so inform the Government of Lebanon and the Commissioner of the International Independent Investigation Commission."

At its 5698th meeting, on 20 June 2007, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Disengagement Observer Force (S/2007/331)".

Resolution 1759 (2007)
of 20 June 2007

The Security Council,

Having considered the report of the Secretary-General of 5 June 2007 on the United Nations Disengagement Observer Force,[70] and reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Welcomes* the efforts being undertaken by the United Nations Disengagement Observer Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

3. *Decides* to renew the mandate of the Force for a period of six months, that is, until 31 December 2007;

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[66] S/2007/352.

[67] S/2007/351.

[68] S/2007/357.

[69] S/2007/356.

[70] S/2007/331.

4. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 5698th meeting.

Decisions

At the 5698th meeting also, following the adoption of resolution 1759 (2007), the President of the Security Council made the following statement on behalf of the Council:[71]

> "In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:
>
> > 'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[70] states in paragraph 11: "... the situation in the Middle East is tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". That statement of the Secretary-General reflects the view of the Security Council.' "

At its 5704th meeting, on 25 June 2007, the Council decided to invite the representatives of Colombia, Lebanon and Spain to participate, without vote, in the discussion of the item entitled "The situation in the Middle East."

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[72]

> "The Security Council condemns in the strongest terms the terrorist attack on 24 June 2007 near the town of Khiyam in South Lebanon, which targeted the United Nations Interim Force in Lebanon and killed six United Nations peacekeepers of the Spanish contingent.
>
> "The Council extends its deepest condolences to the families of those victims, who included Colombian nationals.
>
> "The Council notes the condemnation of this attack by the Government of Lebanon and commends the determination and commitment of the Government of Lebanon to bring to justice the perpetrators of this attack.
>
> "The Council reaffirms its full support to the Lebanese Government and army in their efforts to ensure security and stability throughout Lebanon.
>
> "The Council appeals to all parties concerned to abide scrupulously by their obligation to respect the safety of the Force and other United Nations personnel, including by avoiding any course of action which endangers United Nations personnel and by ensuring that the Force is accorded full freedom of movement throughout its area of operations.
>
> "The Council reaffirms its full support to the Force in carrying out its mandate to assist in the implementation of resolution 1701 (2006) and expresses its strong appreciation to Member States contributing troops."

At its 5719th meeting, on 19 July 2007, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

> "Letter dated 12 July 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/424)".

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[71] S/PRST/2007/20.

[72] S/PRST/2007/21.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Serge Brammertz, Commissioner of the International Independent Investigation Commission.

THE SITUATION IN CYPRUS[73]

Decision

At its 5593rd meeting, on 15 December 2006, the Security Council considered the item entitled:

"The situation in Cyprus

> "Report of the Secretary-General on the United Nations operation in Cyprus (S/2006/931)".

Resolution 1728 (2006)
of 15 December 2006

The Security Council,

Welcoming the report of the Secretary-General of 1 December 2006 on the United Nations operation in Cyprus,[74]

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 December 2006,

Taking note of the assessment of the Secretary-General that the security situation on the island continues to be generally stable and that the situation along the Green Line remains calm, and welcoming the decrease in the overall number of incidents involving the two sides,

Urging both sides to avoid any action which could lead to an increase in tension, such as military exercises, and, in this context, noting with concern that disagreements have arisen over civilian activities in the buffer zone, including farming and construction, and encouraging both sides to engage in consultations with the Force on the demarcation of the buffer zone, respecting the mandate of the Force, and to reach an agreed approach to the operations of the Force in the buffer zone on the basis of the United Nations 1989 aide-memoire,

Expressing its strong appreciation for the work of the Under-Secretary-General for Political Affairs, Mr. Ibrahim Gambari, in achieving the agreement of 8 July 2006,[75] and welcoming the principles and decisions enshrined therein, including recognition that the status quo is unacceptable and that a comprehensive settlement based on a bicommunal, bizonal federation and political equality, as set out in the relevant Security Council resolutions, is both desirable and possible and should not be further delayed, but noting, with regret, the assessment by the Secretary-General that continued lack of trust between the parties has so far prevented the implementation of any of those decisions, underlining the need to implement the agreement of 8 July without further delay, and expressing the hope that the recent positive reaction of the leaders of both communities to suggestions by the United Nations will result in the finalization of the preparatory phase as soon as possible in order to prepare the ground for fully-fledged negotiations leading to a comprehensive and durable settlement,

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[73] Resolutions or decisions on this question have been adopted by the Security Council every year since 1963.

[74] S/2006/931.

[75] See S/2006/572.

Welcoming continued progress in demining, expressing strong support for the efforts of the Force to extend demining operations to Turkish Forces minefields in the rest of the buffer zone, and welcoming the prospect that it could be declared free of mines within two years,

Reiterating its call to the parties to assess and address the humanitarian issue of missing persons with due urgency and seriousness, and welcoming in this regard the resumption of the activities of the Committee on Missing Persons in Cyprus since August 2004, and the progress which has since been made, as well as the appointment by the Secretary-General of a third member,

Welcoming the continuing crossings by Greek Cypriots to the north and Turkish Cypriots to the south which have taken place peacefully, and encouraging early progress on other confidence-building measures, such as the opening of additional crossing points, including at Ledra Street,

Welcoming also all efforts to promote bicommunal contacts and events, including on the part of the United Nations, and urging the two sides to promote further bicommunal contacts and to remove any obstacles to such contacts,

Expressing concern, in this respect, that opportunities for constructive public debate about the future of the island, within and between the communities, are becoming fewer, and that this atmosphere is hampering, in particular, efforts to foster bicommunal activities intended to benefit Greek Cypriots and Turkish Cypriots, and to promote reconciliation and build trust in order to facilitate a comprehensive settlement,

Noting the primary role of the United Nations in assisting the parties to bring the Cyprus conflict and division of the island to a comprehensive and durable settlement,

Reaffirming the importance of the Secretary-General continuing to keep the operations of the Force under close review while continuing to take into account developments on the ground and the views of the parties, and reverting to the Council with recommendations, as appropriate, for further adjustments to the mandate, force levels and concept of operation of the Force as soon as warranted,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of the Force, and his request for further voluntary contributions from other countries and organizations,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Welcomes* the observations contained in the report of the Secretary-General[74] on progress since June 2006, and in particular on developments since 8 July, and expresses its appreciation for his personal efforts over the last ten years, and those of his staff, aimed at achieving a comprehensive solution;

2. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

3. *Expresses its full support* for the United Nations Peacekeeping Force in Cyprus, including its mandate in the buffer zone, and decides to extend its mandate for a further period ending 15 June 2007;

4. *Calls upon* the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

5. *Expresses its full support* for the process agreed by the leaders, encourages active participation in bicommunal discussions as described in Under-Secretary-General Gambari's letter of 15 November 2006, under the auspices of the Special Representative of the Secretary-General for Cyprus, and calls for the early completion of the preparatory phase so that a fully-fledged good offices process may resume as soon as possible;

6. *Requests* the Secretary-General to submit a report on the implementation of the present resolution by 1 June 2007;

7. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 5593rd meeting.

Decision

At its 5696th meeting, on 15 June 2007, the Security Council considered the item entitled:

"The situation in Cyprus

> "Report of the Secretary-General on the United Nations operation in Cyprus (S/2007/328)".

Resolution 1758 (2007)
of 15 June 2007

The Security Council,

Welcoming the report of the Secretary-General of 4 June 2007 on the United Nations operation in Cyprus,[76]

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 June 2007,

Echoing the Secretary-General's firm belief that the responsibility of finding a solution lies first and foremost with the Cypriots themselves, and noting the primary role of the United Nations in assisting the parties to bring the Cyprus conflict and division of the island to a comprehensive and durable settlement,

Taking note of the assessment of the Secretary-General that the security situation on the island and along the Green Line remains generally stable, but noting with concern the increase in the overall number of violations of the buffer zone, and urging both sides to avoid any action which could lead to an increase in tension,

Underlining that activity in the buffer zone should not be at the expense of stability and security, and noting the Secretary-General's firm belief that the situation in the buffer zone would be improved if both sides accepted the 1989 aide-memoire used by the United Nations,

Welcoming the principles and decisions enshrined in the agreement of 8 July 2006[75] stressing that a comprehensive settlement based on a bicommunal, bizonal federation and political equality, as set out in the relevant Security Council resolutions, is both desirable and possible and should not be further delayed,

Noting, with regret, the failure to date to implement the agreement of 8 July 2006, and urging the leaders of both communities to act to start the process without delay in order to prepare the ground for fully-fledged negotiations leading to a comprehensive and durable settlement,

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[76] S/2007/328.

Regretting that demining activity in the buffer zone has stalled, welcoming the provision by the European Union of funds to support those activities, and urging the Turkish Forces and the Turkish Cypriot side to allow the resumption of demining activities,

Reiterating its call to the parties to assess and address the humanitarian issue of all missing persons with due urgency and seriousness and welcoming in this regard the progress and continuation of the important activities of the Committee on Missing Persons in Cyprus, and expressing the hope that this process will promote reconciliation between the communities,

Welcoming the continuing crossings of the Green Line by Cypriots, and encouraging further progress on other confidence-building measures, such as the opening of additional crossing points including, but not limited to, at Ledra Street, taking into account the arrangements already in place at existing crossing points,

Welcoming also all efforts to promote bicommunal contacts and events, including, on the part of all United Nations bodies on the island, and urging the two sides to promote the active engagement of civil society and the encouragement of cooperation between economic and commercial bodies and to remove all obstacles to such contacts,

Expressing concern, in this respect, that opportunities for constructive public debate about the future of the island, within and between the communities, are becoming fewer, and that this atmosphere is hampering, in particular, efforts to foster bicommunal activities intended to benefit all Cypriots and to promote reconciliation and build trust in order to facilitate a comprehensive settlement,

Reaffirming the importance of the Secretary-General continuing to keep the operations of the Force under close review while continuing to take into account developments on the ground and the views of the parties, and reverting to the Council with recommendations, as appropriate, for further adjustments to the mandate, force levels and concept of operation of the Force as soon as warranted,

Noting the unacceptable accommodation conditions endured by many troops of the Force, and welcoming the recent commitment by Cyprus to address this issue without delay,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of the Force, and his request for further voluntary contributions from other countries and organizations,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Welcomes* the observations contained in the report of the Secretary-General;[76]

2. *Expresses its full support* for the 8 July process, notes with concern the lack of progress, and calls upon all parties to immediately engage constructively with the United Nations efforts, as described in Under-Secretary-General Gambari's letter of 15 November 2006, to demonstrate measurable progress in order to allow fully-fledged negotiations to begin, and to cease mutual recriminations;

3. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

4. *Reaffirms also* that the status quo is unacceptable, that time is not on the side of a settlement, and that negotiations on a final political solution to the Cyprus problem have been at an impasse for too long;

5. *Expresses its full support* for the United Nations Peacekeeping Force in Cyprus, and decides to extend its mandate for a further period ending 15 December 2007;

6. *Calls upon* both sides to engage, as a matter of urgency and while respecting the mandate of the Force, in consultations with the Force on the demarcation of the buffer zone, in

particular in relation to the Ledra Street crossing point, with a view to reaching agreement on the United Nations 1989 aide-memoire;

7. *Calls upon* the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

8. *Requests* the Secretary-General to submit a report on the implementation of the present resolution by 1 December 2007;

9. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

10. *Decides* to remain seized of the matter.

Adopted unanimously at the 5696th meeting.

THE SITUATION CONCERNING WESTERN SAHARA[77]

Decision

At its 5560th meeting, on 31 October 2006, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/2006/817)".

Resolution 1720 (2006)
of 31 October 2006

The Security Council,

Recalling all its previous resolutions on Western Sahara, including resolutions 1495 (2003) of 31 July 2003, 1541 (2004) of 29 April 2004 and 1675 (2006) of 28 April 2006,

Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy,

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and States of the region to continue to cooperate fully with the United Nations to end the current impasse and to achieve progress towards a political solution,

Having considered the report of the Secretary-General of 16 October 2006,[78]

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[77] Resolutions or decisions on this question were also adopted by the Security Council in 1975, 1988, 1990 to 2005 and during the period from 1 January to 31 July 2006.

[78] S/2006/817.

1. *Reaffirms* the need for full respect of the military agreements reached with the United Nations Mission for the Referendum in Western Sahara with regard to the ceasefire;

2. *Calls upon* Member States to consider voluntary contributions to fund confidence-building measures that allow for increased contact between separated family members, especially family unification visits;

3. *Requests* the Secretary-General to provide a report on the situation in Western Sahara before the end of the mandate period;

4. *Also requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Security Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

5. *Decides* to extend the mandate of the Mission until 30 April 2007;

6. *Decides also* to remain seized of the matter.

Adopted unanimously at the 5560th meeting.

Decisions

On 5 February 2007, the President of the Security Council addressed the following letter to the Secretary-General:[79]

> "I have the honour to inform you that your letter dated 31 January 2007 concerning your intention to appoint Mr. Julian Harston, of the United Kingdom of Great Britain and Northern Ireland, as your Special Representative for Western Sahara and Head of the United Nations Mission for the Referendum in Western Sahara[80] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5669th meeting, on 30 April 2007, the Council decided to invite the representative of Spain to participate, without vote, in the discussion of the item entitled:

"The situation concerning Western Sahara

> "Report of the Secretary-General on the situation concerning Western Sahara (S/2007/202)".

Resolution 1754 (2007)
of 30 April 2007

The Security Council,

Recalling all its previous resolutions on Western Sahara,

Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy,

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and States of the region to continue to cooperate fully with the United Nations and with each other to end the current impasse and to achieve progress towards a political solution,

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[79] S/2007/56.

[80] S/2007/55.

Taking note of the proposal presented by Morocco to the Secretary-General on 11 April 2007 and welcoming serious and credible Moroccan efforts to move the process forward towards resolution, and taking note also of the proposal presented by the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro to the Secretary-General on 10 April 2007,

Having considered the report of the Secretary-General of 13 April 2007,[81]

1. *Reaffirms* the need for full respect of the military agreements reached with the United Nations Mission for the Referendum in Western Sahara with regard to the ceasefire;

2. *Calls upon* the parties to enter into negotiations without preconditions in good faith, taking into account the developments of the last months, with a view to achieving a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara;

3. *Requests* the Secretary-General to set up those negotiations under his auspices, and invites Member States to lend appropriate assistance to such talks;

4. *Also requests* the Secretary-General to provide a report by 30 June 2007 on the status and progress of those negotiations under his auspices, and expresses its intention to meet to receive and discuss that report;

5. *Further requests* the Secretary-General to provide a report on the situation in Western Sahara before the end of the mandate period;

6. *Calls upon* Member States to consider voluntary contributions to fund confidence-building measures that allow for increased contact between separated family members, especially family unification visits;

7. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Security Council informed, and urges troop-contributing countries to take appropriate preventive action including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

8. *Decides* to extend the mandate of the Mission until 31 October 2007;

9. *Decides also* to remain seized of the matter.

Adopted unanimously at the 5669th meeting.

THE SITUATION IN TIMOR-LESTE[82]

Decisions

At its 5512th meeting, on 15 August 2006, the Security Council decided to invite the representatives of Australia, Brazil, Cape Verde, Cuba, Finland, Indonesia, Malaysia, New Zealand, the Philippines, Portugal, Singapore and Timor-Leste (Minister for Foreign Affairs and Cooperation) to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

> "Report of the Secretary-General on Timor-Leste pursuant to Security Council resolution 1690 (2006) (S/2006/628)".

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[81] S/2007/202.

[82] Resolutions or decisions on this question were also adopted by the Security Council in 1975, 1976, 1999 to 2005 and during the period from 1 January to 31 July 2006.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ian Martin, Special Envoy of the Secretary-General for Timor-Leste.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Luis Fonseca, Executive Secretary of the Community of Portuguese-Speaking Countries.

At its 5514th meeting, on 18 August 2006, the Council decided to invite the representative of Timor-Leste (Minister for Foreign Affairs and Cooperation) to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

> "Report of the Secretary-General on Timor-Leste pursuant to Security Council resolution 1690 (2006) (S/2006/628)".

Resolution 1703 (2006)
of 18 August 2006

The Security Council,

Reaffirming its previous resolutions on the situation in Timor-Leste, in particular resolutions 1599 (2005) of 28 April 2005, 1677 (2006) of 12 May 2006 and 1690 (2006) of 20 June 2006,

Taking note of the report of the Secretary-General of 8 August 2006[83] and his report of 26 July 2006 on justice and reconciliation for Timor-Leste,[84]

Taking note also of the letters dated 4 August[85] and 9 August 2006[86] from the Prime Minister of Timor-Leste to the Secretary-General,

1. *Decides* to extend the mandate of the United Nations Office in Timor-Leste until 25 August 2006;

2. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5514th meeting.

Decision

At its 5516th meeting, on 25 August 2006, the Security Council decided to invite the representative of Timor-Leste (Minister for Foreign Affairs and Cooperation) to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

> "Report of the Secretary-General on Timor-Leste pursuant to Security Council resolution 1690 (2006) (S/2006/628)".

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[83] S/2006/628.

[84] S/2006/580.

[85] S/2006/620, annex.

[86] S/2006/651, annex.

Resolution 1704 (2006)
of 25 August 2006

The Security Council,

Reaffirming its previous resolutions on the situation in Timor-Leste, in particular resolutions 1599 (2005) of 28 April 2005, 1677 (2006) of 12 May 2006, 1690 (2006) of 20 June 2006 and 1703 (2006) of 18 August 2006,

Welcoming the report of the Secretary-General of 8 August 2006,[83]

Commending the people and the Government of Timor-Leste for their action to resolve their political conflicts and the creation of the new Government, and expressing its concern over the still fragile security, political and humanitarian situation in Timor-Leste, in the light of the threat of weapons unaccounted for and the significant number of internally displaced persons,

Taking note of the letters dated 4 August,[85] 9 August[86] and 11 August 2006[87] from the Prime Minister of Timor-Leste to the Secretary-General,

Reaffirming its full commitment to the sovereignty, independence, territorial integrity and national unity of Timor-Leste and to the promotion of long-lasting stability in Timor-Leste,

Expressing its appreciation and full support for the deployment of international security forces by the Governments of Portugal, Australia, New Zealand and Malaysia in response to the requests of the Government of Timor-Leste, and their activities aimed at restoring and maintaining security in Timor-Leste,

Welcoming the establishment and initiation of the tasks of the Independent Special Commission of Inquiry for Timor-Leste in response to the request made by the Government of Timor-Leste in the letter dated 8 June 2006,[88] and looking forward to its report by 7 October 2006,

Expressing its view that the presidential and parliamentary elections scheduled for 2007, to be held for the first time since the country's independence, will be a significant step forward in the process of strengthening the fragile democracy of Timor-Leste,

Reaffirming the need for credible accountability for the serious human rights violations committed in East Timor in 1999, and welcoming the report of the Secretary-General of 26 July 2006 on justice and reconciliation for Timor-Leste,[84]

Further commending the United Nations Office in Timor-Leste, under the leadership of the Special Representative of the Secretary-General for Timor-Leste, as well as the good offices and assessment work of the Special Envoy of the Secretary-General for Timor-Leste, and expressing its appreciation to those Member States which have provided support to the Office,

Taking into account that, while the manifestations of the current crisis in Timor-Leste are political and institutional, poverty and its associated deprivations, including high urban unemployment, especially for youth, also contributed to the crisis,

Paying tribute to Timor-Leste's bilateral and multilateral partners for their invaluable assistance, particularly with regard to institutional capacity-building and social and economic development, recognizing that there has been a considerable degree of success in the development of many aspects of governance in Timor-Leste, and expressing its view that a transfer of responsibility for various areas of support from the Office to the United Nations agencies, funds and programmes and other development partners should not be reversed,

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[87] S/2006/668, annex.

[88] S/2006/391, annex.

Reaffirming its resolution 1325 (2000) of 31 October 2000 on women and peace and security and its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel,

Welcoming the efforts of the United Nations to sensitize United Nations personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its established operations,

Noting the existence of challenges to the short- and long-term security and stability of an independent Timor-Leste, and determining that preserving the country's stability is necessary for the maintenance of peace and security in the region,

1. *Decides* to establish a follow-on mission in Timor-Leste, the United Nations Integrated Mission in Timor-Leste, for an initial period of six months, with the intention to renew for further periods, and further decides that the Mission shall consist of an appropriate civilian component, including up to 1,608 police personnel, and an initial component of up to 34 military liaison and staff officers;

2. *Requests* the Secretary-General to review the arrangements to be established between the Mission and the international security forces, having consulted all stakeholders, including the Government of Timor-Leste and the contributors to the international security forces, and present his views no later than 25 October 2006, and affirms that the Security Council shall consider possible adjustments in the Mission structure, including the nature and size of the military component, taking into account the above views of the Secretary-General;

3. *Decides* that the Mission shall be headed by a Special Representative of the Secretary-General for Timor-Leste, who shall direct the operations of the Mission and coordinate all United Nations activities in Timor-Leste;

4. *Decides also* that the Mission shall have the following mandate:

(*a*) To support the Government of Timor-Leste and relevant institutions with a view to consolidating stability, enhancing a culture of democratic governance and facilitating political dialogue among Timorese stakeholders in their efforts to bring about a process of national reconciliation and to foster social cohesion;

(*b*) To support Timor-Leste in all aspects of the 2007 presidential and parliamentary electoral process, including through technical and logistical support, electoral policy advice and verification or other means;

(*c*) To ensure, through the presence of United Nations police, the restoration and maintenance of public security in Timor-Leste through the provision of support to the Timorese national police, as outlined in the report of the Secretary-General,[83] which includes interim law enforcement and public security until the national police is reconstituted, and to assist with the further training, institutional development and strengthening of the national police as well as the Ministry of the Interior, and also assist in the planning and preparation of electoral-related security arrangements to adequately prepare the national police for performing its roles and responsibilities during the conduct of the 2007 elections;

(*d*) To support the Government of Timor-Leste to liaise on security tasks and to establish a continuous presence in the three border districts alongside armed United Nations police officers assigned to district police stations, through the impartial presence of United Nations military liaison officers;

(*e*) To assist the Government of Timor-Leste in conducting a comprehensive review of the future role and needs of the security sector, including the Falintil-Forças Armadas de Defesa de Timor-Leste, the Ministry of Defence, the Timorese national police and the Ministry of the Interior, with a view to supporting the Government, through the provision of advisers and in cooperation and coordination with other partners, in strengthening institutional capacity-building, as appropriate;

(*f*) To assist, in cooperation and coordination with other partners, in further building the capacity of State and Government institutions in areas where specialized expertise is required, such as in the justice sector, and to promote a "compact" between Timor-Leste and the international community for coordinating Government, United Nations and other multilateral and bilateral contributors to priority programmes;

(*g*) To assist in further strengthening the national institutional and societal capacity and mechanisms for monitoring, promoting and protecting human rights and for promoting justice and reconciliation, including for women and children, and to observe and report on the human rights situation;

(*h*) To facilitate the provision of relief and recovery assistance and access to the Timorese people in need, with a particular focus on the segment of society in the most vulnerable situation, including internally displaced persons and women and children;

(*i*) To assist in the implementation of the relevant recommendations contained in the report of the Secretary-General on justice and reconciliation for Timor-Leste,[84] including to assist the Office of the Prosecutor-General of Timor-Leste, through the provision of a team of experienced investigative personnel, to resume investigative functions of the former Serious Crimes Unit, with a view to completing investigations into outstanding cases of serious human rights violations committed in the country in 1999;

(*j*) To cooperate and coordinate with United Nations agencies, funds and programmes as well as all relevant partners, including the international financial institutions and donors, in carrying out tasks mentioned above as relevant, with a view to making maximum use of existing and forthcoming bilateral and multilateral assistance to Timor-Leste in post-conflict peacebuilding and capacity-building, and to support the Government and relevant institutions, in cooperation and coordination with other partners, in designing poverty reduction and economic growth policies and strategies to achieve the development plan of Timor-Leste;

(*k*) To mainstream gender perspectives and those of children and youth throughout the policies, programmes and activities of the Mission, and, working together with United Nations agencies, funds and programmes, support the development of a national strategy to promote gender equality and the empowerment of women;

(*l*) To provide objective and accurate information to the Timorese people, particularly regarding the forthcoming 2007 elections, while promoting an understanding of the work of the Mission, and to assist in building local media capacity;

(*m*) To ensure, within its capability and areas of deployment, and in coordination with the international security forces, the security and freedom of movement of United Nations and associated personnel, and protect United Nations personnel, facilities, installations and equipment and humanitarian assets associated with the operation; and

(*n*) To monitor and review progress in (*a*) to (*m*) above;

5. *Calls upon* the international security forces to fully cooperate with and provide assistance to the Mission for the implementation of the mandate mentioned above;

6. *Requests* that the Secretary-General and the Government of Timor-Leste conclude a status-of-forces agreement within thirty days of the adoption of the present resolution, taking into consideration General Assembly resolution 60/123 of 15 December 2005 on the safety and security of humanitarian personnel and protection of United Nations personnel, and decides that, pending the conclusion of such agreement, the agreement between the Government of Timor-Leste and the United Nations concerning the status of the United Nations Mission of Support in East Timor of 20 May 2002 shall apply provisionally, mutatis mutandis, in respect of the United Nations Integrated Mission in Timor-Leste;

7. *Calls upon* all parties in Timor-Leste to cooperate fully in the deployment and operations of the Mission and the international security forces, in particular in ensuring the safety,

security and freedom of movement of United Nations personnel as well as associated personnel throughout Timor-Leste;

8. *Encourages* the Government of Timor-Leste and the Office of the President to create a mechanism to ensure high-level coordination on all matters related to the mandate of the Mission;

9. *Further encourages* Timor-Leste to enact a set of electoral legislation which provides for the 2007 elections to be supervised, organized, administered and conducted in a free, fair and transparent manner, with due respect for the need to establish an independent mechanism, and reflects general consensus within Timor-Leste regarding the appropriate modalities for the 2007 electoral process;

10. *Urges* the development partners, including the United Nations agencies and multilateral financial institutions, to continue providing resources and assistance for the preparations for the 2007 elections and other projects towards sustainable and long-term development in Timor-Leste;

11. *Takes note* of the findings contained in the report of the Commission of Experts transmitted on 15 July 2005,[89] welcomes the efforts so far by Indonesia and Timor-Leste in pursuance of truth and friendship, encourages the two Governments and the Commissioners to make every effort to strengthen the efficiency and credibility of the Commission of Truth and Friendship in order to ensure further conformity with human rights principles, with a view to ensuring credible accountability, and welcomes the proposal of the Secretary-General to create a programme of international assistance to Timor-Leste, consisting of a community restoration programme and a justice programme, including the establishment of a solidarity fund by the United Nations to accept voluntary contributions from Member States for the purpose of funding those programmes;[84]

12. *Requests* the Secretary-General to keep the Council closely and regularly informed of developments on the ground, including, in particular, the state of preparations for the 2007 elections and of the implementation of the mandate of the Mission, and to submit a report no later than 1 February 2007, with recommendations for any modifications such progress might allow to the size, composition, mandate and duration of the Mission presence;

13. *Also requests* the Secretary-General to take the necessary measures to achieve actual compliance in the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse, including the development of strategies and appropriate mechanisms to prevent, identify and respond to all forms of misconduct, including sexual exploitation and abuse, and the enhancement of training for personnel to prevent misconduct and ensure full compliance with the United Nations code of conduct, requests the Secretary-General to take all necessary action in accordance with the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse[90] and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5516th meeting.

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[89] See S/2005/458.

[90] ST/SGB/2003/13.

Decisions

On 29 November 2006, the President of the Security Council addressed the following letter to the Secretary-General:[91]

> "I have the honour to inform you that your letter dated 30 October 2006 concerning your intention to appoint Mr. Atul Khare, of India, as your Special Representative for Timor-Leste and Head of the United Nations Integrated Mission in Timor-Leste[92] has been brought to the attention of the members of the Security Council. They take note of the information and intention contained in your letter."

At its 5628th meeting, on 12 February 2007, the Council decided to invite the representatives of Australia, Brazil, Germany, Japan, New Zealand, the Philippines, Portugal, Singapore and Timor-Leste (Prime Minister) to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

> "Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (S/2007/50)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Atul Khare, Special Representative of the Secretary-General for Timor-Leste and Head of the United Nations Integrated Mission in Timor-Leste.

At its 5634th meeting, on 22 February 2007, the Council decided to invite the representative of Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

> "Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (S/2007/50)".

Resolution 1745 (2007)
of 22 February 2007

The Security Council,

Reaffirming all its previous resolutions and the statements by its President on the situation in Timor-Leste, in particular resolutions 1599 (2005) of 28 April 2005, 1677 (2006) of 12 May 2006, 1690 (2006) of 20 June 2006, 1703 (2006) of 18 August 2006 and 1704 (2006) of 25 August 2006,

Welcoming the report of the Secretary-General of 1 February 2007,[93]

Reaffirming its full commitment to the sovereignty, independence, territorial integrity and national unity of Timor-Leste and the promotion of long-term stability in the country,

Commending the people and the Government of Timor-Leste for their continued action to resolve their political challenges and other steps taken towards national dialogue and political reconciliation, and encouraging all parties to redouble their efforts in this regard,

Reaffirming the need for respect for the independence of the judiciary and its responsibility, and welcoming the conviction of the leaders of Timor-Leste on the need for justice and their determination to act against impunity,

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[91] S/2006/924.

[92] S/2006/923.

[93] S/2007/50.

Expressing its concern over the still fragile and volatile security, political, social and humanitarian situation in Timor-Leste, and welcoming initial efforts made in the security sector,

Taking note of the joint letter dated 7 December 2006 from President Gusmão, Prime Minister Ramos-Horta and National Parliament President Guterres to the Secretary-General, requesting that the United Nations Integrated Mission in Timor-Leste be reinforced with an additional formed police unit,[94]

Reiterating its view that the forthcoming presidential and parliamentary elections will be a significant step in the process of strengthening democracy in Timor-Leste,

Welcoming the adoption of the laws on the National Commission on Elections, as well as on the parliamentary and presidential elections, and encouraging additional steps, including amendments deemed necessary, implementation of an appropriate regulatory framework, and logistical preparations to be undertaken with the assistance of the Mission,

Welcoming also the passing by the Parliament of Timor-Leste on 9 January 2007 of a resolution which adopted the recommendations of the Independent Special Commission of Inquiry for Timor-Leste and the additional recommendations of the Ad Hoc Parliamentary Commission, noting the action taken to date by the Government of Timor-Leste, including a number of judicial proceedings in relation to the events of April and May 2006, and further noting the need for continued efforts to implement the recommendations of the Independent Special Commission of Inquiry,

Stressing the need to implement fully the "Arrangement on the Restoration and Maintenance of Public Security in Timor-Leste and Assistance to the Reform, Restructuring and Rebuilding of the Timorese National Police (PNTL) and the Ministry of the Interior", concluded between the Government of Timor-Leste and the Mission on 1 December 2006,

Expressing its full support for the continued deployment of the international security forces in response to the requests of the Government of Timor-Leste, and their activities to support the Mission in the restoration and maintenance of law and stability,

Noting with appreciation the signing of a memorandum of understanding between the Government of Timor-Leste, the United Nations and the Government of Australia on 26 January 2007 that established a Trilateral Coordination Forum to enhance security activities,

Recalling that, while the manifestations of the current challenges in Timor-Leste are political and institutional in nature, poverty and its associated deprivations also contributed to these challenges, paying tribute to Timor-Leste's bilateral and multilateral partners for their invaluable assistance, particularly with regard to institutional capacity-building and social and economic development, and recognizing the progress being made in the development of many aspects of governance in Timor-Leste,

Welcoming the agreement between the Government of Timor-Leste and the United Nations Development Programme to provide, with donor support, technical support for enhancing transparency and anti-corruption measures,

Taking note of the launching, on 17 January 2007, of a consolidated appeal process to respond to the remaining humanitarian and ongoing protection needs for a period of six months beyond December 2006, including providing humanitarian assistance to internally displaced persons in order to facilitate their return, relocation and reintegration,

Reaffirming its resolution 1325 (2000) of 31 October 2000 on women and peace and security and its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel,

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[94] S/2006/1022, annex.

Expressing its appreciation for the efforts of the Mission and the United Nations country team, under the leadership of the Special Representative of the Secretary-General for Timor-Leste,

1. *Decides* to extend the mandate of the United Nations Integrated Mission in Timor-Leste until 26 February 2008;

2. *Decides also* to increase the authorized force strength of the Mission by up to 140 police personnel in order to permit the deployment of an additional formed police unit to supplement the existing formed police units, particularly during the pre- and post-electoral period;

3. *Welcomes* the signing on 25 January 2007 of the military technical arrangement between the United Nations and Australia, under which the international security forces ensure the protection of United Nations premises and properties as well as a rapid response capacity for Mission police;

4. *Calls upon* the Government of Timor-Leste, assisted by the Mission, to continue working on a comprehensive review of the future role and needs of the security sector, including the Ministry of the Interior, the Timorese national police, the Ministry of Defence and the Falintil-Forças Armadas de Defesa de Timor-Leste;

5. *Emphasizes* the need for regular meetings and information-sharing, and in that regard welcomes the establishment of the Trilateral Coordination Forum, with participants from the Government of Timor-Leste, the Mission and the international security forces, in order to maintain coordination;

6. *Calls upon* all parties in Timor-Leste to adhere to the principles of non-violence and to democratic and legal processes to ensure that the upcoming elections have a unifying impact and contribute to bringing the people of Timor-Leste together, and encourages all Timorese parties to ensure that free, fair and peaceful elections take place and that the timetable for polls developed by the National Commission on Elections is respected;

7. *Takes note* of the work of the Independent Electoral Certification Team, encourages the implementation of its key recommendations to ensure credibility of the electoral process, and further encourages the international community to assist in this process, including through electoral observation;

8. *Calls upon* all parties in Timor-Leste, and in particular political leaders, to continue to work together in a spirit of cooperation and compromise in order to consolidate progress made by Timor-Leste in recent years and to enable the country to move to a peaceful and more prosperous future;

9. *Emphasizes* the importance of ongoing efforts to reach accountability and justice for the events of 1999 and April and May 2006, including follow-up to the report of the Independent Special Commission of Inquiry for Timor-Leste,[95] and, in this regard, encourages the sustained efforts of the Mission to support national dialogue, political reconciliation and the strengthening of the justice system;

10. *Calls upon* the Mission to continue to cooperate and coordinate with the United Nations agencies, funds and programmes as well as all relevant partners to support the Government of Timor-Leste and relevant institutions in designing poverty reduction and economic growth policies;

11. *Urges* the development partners, including the United Nations agencies and multilateral financial institutions, to continue providing resources and assistance for the preparations for the upcoming elections, and other projects towards sustainable development, and calls upon the international donor community to consider contributing generously towards the 2007 consolidated appeal for Timor-Leste;

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[95] See S/2006/822, annex.

12. *Requests* the Mission fully to take into account gender considerations, as set out in Security Council resolution 1325 (2000), as a cross-cutting issue throughout its mandate, and further requests the Secretary-General to include in his reporting to the Council progress on gender mainstreaming throughout the Mission and all other aspects relating to the situation of women and girls, especially in relation to the need to protect them from gender-based violence;

13. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges those countries contributing troops and police to take appropriate preventive action and to ensure full accountability in cases of such conduct involving their personnel;

14. *Also requests* the Secretary-General to keep the Council closely and regularly informed of developments on the ground, in particular the state of preparations for the upcoming elections and the security situation and to submit a report which includes recommendations for possible adjustments in the mandate and strength of the Mission to the Council within sixty days of the presidential and parliamentary elections in Timor-Leste, to submit a report no later than forty-five days before the expiration of the current mandate and to submit further reports as and when he considers appropriate;

15. *Decides* to remain seized of the matter.

Adopted unanimously at the 5634th meeting.

Decisions

At its 5682nd meeting, on 23 May 2007, the Security Council decided to invite the representative of Timor-Leste to participate, without vote, in the discussion of the item entitled "The situation in Timor-Leste".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[96]

> "The Security Council welcomes the announcement of the results of the presidential elections in Timor-Leste and congratulates Mr. Jose Ramos-Horta on his election as President, and looks forward to working with the new Government to help to build a better future for Timor-Leste.
>
> "The Council congratulates the Timorese people for demonstrating their strong commitment to peace and democracy, and commends the presidential candidates for the peaceful manner in which they conducted their campaigns. The Council pledges its continued support for the Government and people of Timor-Leste as they embark on another step aimed at strengthening the foundations of democracy and assume their rightful place in the community of nations.
>
> "The Council expresses its concern over the still fragile and volatile security, political, social and humanitarian situation in Timor-Leste. The Council emphasizes the importance of all parties continuing to work together in a spirit of cooperation and compromise in order to consolidate progress made by Timor-Leste in recent years and to enable the country to move to a peaceful and more prosperous future.
>
> "The Council expresses its sincere appreciation for the central role played by the National Commission on Elections and the Technical Secretariat for Electoral Administration in preparing and organizing the presidential elections. It commends the Timorese national police and the United Nations Integrated Mission in Timor-Leste police with the support of the international security forces for providing security during the electoral process.

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[96] S/PRST/2007/14.

"The Council commends the invaluable support provided for the preparations and holding of the elections by the Mission and regional and international partners. It also expresses its appreciation for the role played by domestic and international electoral observers and encourages further such support for parliamentary elections.

"The Council pays tribute to the donor community for the assistance it has provided to Timor-Leste and encourages the international community as a whole to continue to assist the country as it enters another stage in the process of peace consolidation, reconstruction and recovery.

"The Council calls upon the Government of Timor-Leste to continue to confront the challenges facing the country; it underlines that, while the manifestations of the current challenges in Timor-Leste are political and institutional in nature, poverty and its associated deprivations also contributed to these challenges.

"The Council calls upon all parties in Timor-Leste to ensure that the upcoming parliamentary elections scheduled for 30 June 2007 take place in a free, fair and peaceful environment.

"The Council expresses its continued support for the work of the Mission under the leadership of the Special Representative of the Secretary-General for Timor-Leste, Mr. Atul Khare, and encourages the Mission, in accordance with its mandate, to continue to cooperate and coordinate with the United Nations agencies, funds and programmes, as well as all relevant partners, to support the Government of Timor-Leste."

THE SITUATION IN LIBERIA[97]

Decision

At its 5542nd meeting, on 29 September 2006, the Security Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

> "Twelfth progress report of the Secretary-General on the United Nations Mission in Liberia (S/2006/743)".

Resolution 1712 (2006)
of 29 September 2006

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the situation in Liberia and the subregion, in particular resolutions 1509 (2003) of 19 September 2003, 1667 (2006) of 31 March 2006 and 1694 (2006) of 13 July 2006,

Welcoming the report of the Secretary-General of 12 September 2006,[98]

Welcoming also the steps taken by the Government of Liberia to combat corruption,

Expressing its appreciation for the continuing support of the Economic Community of West African States and the African Union for the Liberian peace process, as well as for financial and other assistance provided by the international community,

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[97] Resolutions or decisions on this question have been adopted by the Security Council every year since 1991.

[98] S/2006/743.

Commending the United Nations Mission in Liberia, under the leadership of the Special Representative of the Secretary-General for Liberia, for the significant part its support has played in restoring peace and stability to Liberia,

Emphasizing that significant challenges remain in completing the reintegration and repatriation of ex-combatants and the urgent restructuring of the Liberian security sector, as well as maintaining stability in Liberia and the subregion,

Welcoming deployments of the Mission in vulnerable areas at Liberia's borders,

Reiterating the continuing need for support by the Mission for the security of the Special Court for Sierra Leone,

Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Mission in Liberia shall be extended until 31 March 2007;

2. *Reaffirms its intention* to authorize the Secretary-General to redeploy troops between the Mission and the United Nations Operation in Côte d'Ivoire on a temporary basis in accordance with the provisions of resolution 1609 (2005) of 24 June 2005, as may be needed;

3. *Endorses* the recommendations of the Secretary-General for a phased, gradual consolidation, drawdown and withdrawal of the troop contingent of the Mission, as the situation permits and without compromising the security of Liberia;

4. *Requests* the Secretary-General to monitor progress on the stabilization of Liberia and to continue to keep the Security Council informed, with particular reference to the broad benchmarks laid down in paragraphs 71 and 72 of his report of 12 September 2006 and in annex I thereto,[98] in particular the restructuring of the security sector, the reintegration of former combatants, the facilitation of political and ethnic reconciliation, the consolidation of State authority throughout the country, judicial reform, the restoration of effective Government control over the country's natural and mineral resources, and the establishment of a stable and secure environment necessary to foster economic growth;

5. *Calls upon* the Government of Liberia, in close coordination with the Mission, to take the necessary steps on its part towards achieving the benchmarks laid down in paragraph 4 above, including ensuring the effective implementation of the National Forestry Reform Law, the continuing commitment to the Government and Economic Management Program, and the rapid development of a national security policy and architecture, and encourages the international community to support those efforts;

6. *Welcomes* the efforts undertaken by the Mission to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, and requests the Secretary-General to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary and other action to ensure that allegations of sexual exploitation or abuse against their personnel are properly investigated and, if substantiated, punished;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5542nd meeting.

Decision

At its 5602nd meeting, on 20 December 2006, the Security Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

> "Letter dated 13 December 2006 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council (S/2006/976)".

Resolution 1731 (2006)
of 20 December 2006

The Security Council,

Recalling its previous resolutions and the statements by its President on the situation in Liberia and West Africa,

Welcoming the sustained progress made by the Government of Liberia since January 2006 in rebuilding Liberia for the benefit of all Liberians, with the support of the international community,

Recalling its decision not to renew the measures in paragraph 10 of resolution 1521 (2003) of 22 December 2003 regarding round logs and timber products originating in Liberia, and stressing that Liberia's progress in the timber sector must continue with the effective implementation and enforcement of the National Forestry Reform Law signed into law on 5 October 2006, including the resolution of land and tenure rights,

Welcoming the Government of Liberia's continuing cooperation with the Kimberley Process Certification Scheme, and noting Liberia's progress towards putting in place the necessary internal controls and other requirements in order to satisfy the minimum requirements of the Kimberley Process,

Stressing the continuing importance of the United Nations Mission in Liberia in improving security throughout Liberia and helping the new Government to establish its authority throughout the country, particularly in the diamond- and timber-producing regions and border areas,

Recognizing the need for newly vetted and trained Liberian security forces to assume greater responsibility for national security, and taking note of the need for Liberian armed forces to procure humanitarian, medical and/or training equipment,

Taking note of the report of the Panel of Experts on Liberia of 27 November 2006,[99] including on the issues of diamonds, timber, rubber and arms,

Having reviewed the measures imposed by paragraphs 2, 4, and 6 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004) of 12 March 2004 and the progress towards meeting the conditions set out in paragraphs 5 and 7 of resolution 1521 (2003), and concluding that insufficient progress has been made towards that end,

Underlining its determination to support the Government of Liberia in its efforts to meet those conditions, and encouraging donors to do likewise,

Determining that, despite significant progress having been made in Liberia, the situation there continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

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[99] See S/2006/976.

1. *Decides*, on the basis of its assessment of progress made to date towards meeting the conditions for lifting the measures imposed by resolution 1521 (2003):

(*a*) To renew the measures on arms imposed by paragraph 2 of resolution 1521 (2003) and modified by paragraphs 1 and 2 of resolution 1683 (2006) of 13 June 2006 and to renew the measures on travel imposed by paragraph 4 of resolution 1521 (2003) for a further period of twelve months from the date of adoption of the present resolution;

(*b*) That the measures on arms imposed by paragraphs 2 (*a*) and (*b*) of resolution 1521 (2003) shall not apply to supplies of non-lethal military equipment, excluding non-lethal weapons and ammunition, as notified in advance to the Security Council Committee established pursuant to paragraph 21 of resolution 1521 (2003), intended solely for use by members of the Government of Liberia police and security forces who have been vetted and trained since the inception of the United Nations Mission in Liberia in October 2003;

(*c*) To renew the measures on diamonds imposed by paragraph 6 of resolution 1521 (2003) and renewed by paragraph 4 of resolution 1689 (2006) of 20 June 2006 for an additional six months, with a review by the Council after four months, to allow the Government of Liberia sufficient time to establish an effective certificate of origin regime for trade in Liberian rough diamonds that is transparent and internationally verifiable, with a view to joining the Kimberley Process, and calls upon the Government of Liberia to provide the Committee with a detailed description of the proposed regime;

(*d*) To review any of the above measures at the request of the Government of Liberia, once the Government reports to the Council that the conditions set out in resolution 1521 (2003) for terminating the measures have been met, and provides the Council with information to justify its assessment;

2. *Notes* that the measures imposed by paragraph 1 of resolution 1532 (2004) remain in force, and reconfirms its intention to review those measures at least once a year;

3. *Encourages* the Government of Liberia to benefit from the Mission's offer to provide joint patrols with the Forestry Development Authority with a view to strengthening Government control in forestry areas;

4. *Decides* to extend the mandate of the current Panel of Experts appointed pursuant to paragraph 5 of resolution 1689 (2006) for a further period until 20 June 2007 to undertake the following tasks:

(*a*) To conduct a follow-up assessment mission to Liberia and neighbouring States in order to investigate and compile a report on the implementation, and any violations, of the measures imposed by resolution 1521 (2003) and renewed in paragraphs 1 and 2 above, including any information relevant to the designation by the Committee of the individuals described in paragraph 4 (*a*) of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004), and including the various sources of financing, such as from natural resources, for the illicit trade in arms;

(*b*) To assess the impact and effectiveness of the measures imposed by paragraph 1 of resolution 1532 (2004), including, in particular, with respect to the assets of former President Charles Taylor;

(*c*) To assess the implementation of forestry legislation passed by the Liberian Congress on 19 September 2006 and signed into law by President Johnson-Sirleaf on 5 October 2006 and the progress and humanitarian and socio-economic impact of the measures imposed by paragraphs 2, 4 and 6 of resolution 1521 (2003) and renewed in paragraph 1 of resolution 1647 (2005) of 20 December 2005;

(*d*) To report to the Council, through the Committee, by 6 June 2007 on all the issues listed in the present paragraph, and to provide informal updates to the Committee, as appropriate, before that date, especially on progress towards meeting the conditions for lifting the measures imposed by paragraph 6 of resolution 1521 (2003) and on progress in the timber sector since the lifting in June 2006 of the measures imposed by paragraph 10 of resolution 1521 (2003);

(*e*) To cooperate with other relevant groups of experts, in particular the group of experts on Côte d'Ivoire established pursuant to resolution 1708 (2006) of 14 September 2006, and with the Kimberley Process Certification Scheme;

(*f*) To identify and make recommendations regarding areas in which the capacity of States in the region can be strengthened to facilitate the implementation of the measures imposed by paragraph 4 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004);

5. *Requests* the Secretary-General to take the necessary measures, in this exceptional instance, to reappoint the current members of the Panel of Experts as referred to in his letter dated 23 June 2006 to the President of the Security Council[100] and to make the necessary financial and security arrangements to support the work of the Panel;

6. *Calls upon* all States and the Government of Liberia to cooperate fully with the Panel of Experts in all the aspects of its mandate;

7. *Encourages* the Kimberley Process to inform, as appropriate, the Council, through the Committee, about any possible follow-up visit to Liberia and its assessment of progress made by the Government of Liberia towards joining the Kimberley Process Certification Scheme;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5602nd meeting.

Decision

At its 5652nd meeting, on 30 March 2007, the Security Council considered the item entitled:

"The situation in Liberia

> "Fourteenth progress report of the Secretary-General on the United Nations Mission in Liberia (S/2007/151)".

Resolution 1750 (2007)
of 30 March 2007

The Security Council,

Recalling its resolutions and the statements by its President concerning the situation in Liberia and the subregion, in particular resolutions 1509 (2003) of 19 September 2003, 1626 (2005) of 19 September 2005 and 1712 (2006) of 29 September 2006,

Welcoming the report of the Secretary-General of 15 March 2007,[101]

Further welcoming the continuing steps being taken by the Government of Liberia to improve governance and combat corruption, as well as the significant progress made in regaining Government control over Liberia's natural resources,

Expressing its appreciation for the continuing financial and other support provided by the international community, the Economic Community of West African States and the African Union for the Liberian peace consolidation process,

Acknowledging and commending the work of the United Nations Mission in Liberia, under the leadership of the Special Representative of the Secretary-General for Liberia, for the important role it continues to play in supporting peace and stability in Liberia, and welcoming the close cooperation between the Mission and the United Nations Operation in Côte d'Ivoire, as well as with neighbouring Governments, in coordinating security activities in the border areas in the subregion,

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[100] S/2006/438.

[101] S/2007/151.

Noting with appreciation the substantial progress made in the reintegration of ex-combatants, and recognizing that further progress will depend on the availability of formal sector employment for ex-combatants,

Welcoming the policy of the Mission to promote and protect the rights of women, and calling upon Liberian authorities to continue their efforts to enhance cooperation with the United Nations country team and civil society, in order to aid in efforts to combat sexual exploitation and abuse,

Recognizing that significant challenges remain in the consolidation of Liberia's post-conflict transition, including massive development and reconstruction needs, the reform of the judiciary, the extension of the rule of law throughout the country, the development of the Liberian security forces and security architecture, and the consolidation of State authority,

Reiterating the continuing need for support by the Mission for the security of the Special Court for Sierra Leone,

Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Mission in Liberia shall be extended until 30 September 2007;

2. *Reaffirms its intention* to authorize the Secretary-General to redeploy troops, as may be needed, between the Mission and the United Nations Operation in Côte d'Ivoire on a temporary basis in accordance with the provisions of resolution 1609 (2005) of 24 June 2005;

3. *Requests* the Secretary-General to present a detailed drawdown plan for the Mission in his next report to the Security Council, scheduled for June 2007, which should include specific recommendations on force levels and options for a drawdown, and which should be presented no later than forty-five days prior to the expiration of the mandate of the Mission, and to continue to inform the Council on progress on the stabilization of Liberia, with reference to the broad benchmarks laid down in his report of 12 September 2006;[98]

4. *Calls upon* the Government of Liberia, in close coordination with the Mission, to take further steps towards achieving those benchmarks with a view to a phased, gradual consolidation, drawdown and withdrawal of the troop contingent of the Mission, as the situation permits and without compromising the security of Liberia;

5. *Notes* the intention of the Special Court for Sierra Leone to reach agreement with the Government of Liberia on carrying out a programme of activities in Liberia, and decides that the mandate of the Mission shall include the following additional element: to provide, within its capabilities and areas of deployment and without prejudice to the performance of its other mandated tasks, administrative and related support and security, on a cost-reimbursable basis, for activities conducted in Liberia by the Special Court for Sierra Leone with the consent of the Government of Liberia;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5652nd meeting.

Decision

At its 5668th meeting, on 27 April 2007, the Security Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled "The situation in Liberia".

Resolution 1753 (2007)
of 27 April 2007

The Security Council,

Recalling its previous resolutions and the statements by its President on the situation in Liberia and West Africa,

Applauding the Government of Liberia's continuing cooperation with the Kimberley Process Certification Scheme, and noting Liberia's progress towards putting in place the necessary internal controls and other requirements in order to satisfy the minimum requirements of the Kimberley Process,

Taking note of the letter dated 4 April 2007 from the Government of Liberia to the Security Council Committee established pursuant to resolution 1521 (2003) containing a detailed description of the proposed certificate of origin regime,

Welcoming the interim report of the Panel of Experts on Liberia of 4 April 2007, and looking forward to the submission by 6 June 2007 of the final report of the Panel as requested in paragraph 4 (*d*) of resolution 1731 (2006) of 20 December 2006,

Having reviewed the measures imposed and conditions set out in paragraphs 6 to 9 of resolution 1521 (2003) of 22 December 2003, and concluding that sufficient progress has been made towards meeting those conditions,

Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to terminate the measures on diamonds imposed by paragraph 6 of resolution 1521 (2003) and renewed by paragraph 1 of resolution 1731 (2006);

2. *Encourages* the Kimberley Process to report in ninety days to the Security Council, through the Committee established pursuant to resolution 1521 (2003), on Liberia's application to the Kimberley Process, and calls upon the Government of Liberia to carry out the recommendations of the expert mission identified for the period following admission to the Kimberley Process Certification Scheme;

3. *Decides* to review the termination of the measures in paragraph 6 of resolution 1521 (2003) after consideration of the report of the Panel of Experts on Liberia as requested in paragraph 4 (*d*) of resolution 1731 (2006) and of the report of the Kimberley Process encouraged in paragraph 2 above, with a particular focus on the compliance of Liberia with the Kimberley Process Certification Scheme;

4. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5668th meeting.

Decision

At its 5699th meeting, on 20 June 2007, the Security Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

> "Letter dated 7 June 2007 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council (S/2007/340)".

Resolution 1760 (2007)
of 20 June 2007

The Security Council,

Recalling its previous resolutions and the statements by its President on the situation in Liberia and West Africa,

Welcoming the sustained progress made by the Government of Liberia since January 2006 in rebuilding Liberia for the benefit of all Liberians, with the support of the international community,

Recalling its decision not to renew the measures in paragraph 10 of resolution 1521 (2003) of 22 December 2003 regarding round logs and timber products originating in Liberia, and stressing that Liberia's progress in the timber sector must continue with the effective implementation and enforcement of the National Forestry Reform Law signed into law on 5 October 2006, including the resolution of land and tenure rights,

Applauding the recent admission of the Government of Liberia as a participant in the Kimberley Process Certification Scheme,

Anticipating the Kimberley Process report to the Security Council, through the Committee established pursuant to resolution 1521 (2003), as encouraged in paragraph 2 of resolution 1753 (2007) of 27 April 2007,

Stressing the continuing importance of the United Nations Mission in Liberia in improving security throughout Liberia and helping the new Government to establish its authority throughout the country, particularly in the diamond- and timber-producing regions and border areas,

Taking note of the report of the Panel of Experts on Liberia of 24 May 2007,[102]

Having reviewed the measures imposed by paragraphs 2 and 4 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004) of 12 March 2004 and the progress towards meeting the conditions set out in paragraph 5 of resolution 1521 (2003), and concluding that insufficient progress has been made towards that end,

Underlining its determination to support the Government of Liberia in its efforts to meet those conditions, and encouraging donors to do likewise,

Determining that, despite significant progress having been made in Liberia, the situation there continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Requests* the Secretary-General to establish, within one month of the date of adoption of the present resolution, in consultation with the Security Council Committee established pursuant to resolution 1521 (2003), for a period of six months, a Panel of Experts consisting of up to three members, with the range of expertise necessary to fulfil the mandate of the Panel described in the present paragraph, drawing as much as possible on the expertise of the members of the Panel of Experts reappointed pursuant to resolution 1731 (2006) of 20 December 2006, to undertake the following tasks:

(*a*) To conduct a follow-up assessment mission to Liberia and neighbouring States, in order to investigate and compile a report on the implementation, and any violations, of the measures imposed by resolution 1521 (2003), including any information relevant to the designation by the Committee of the individuals described in paragraph 4 (*a*) of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004), and including the various sources of financing, such as from natural resources, for the illicit trade in arms;

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[102] See S/2007/340.

(*b*) To assess the impact and effectiveness of the measures imposed by paragraph 1 of resolution 1532 (2004), including, in particular, with respect to the assets of former President Charles Taylor;

(*c*) To assess the implementation of forestry legislation passed by the Liberian Congress on 19 September 2006 and signed into law by President Johnson-Sirleaf on 5 October 2006, recalling that in resolution 1689 (2006) of 20 June 2006 the Council decided not to renew the measure in paragraph 10 of resolution 1521 (2003) that obligated Member States to prevent the import into their territories of all round logs and timber products originating in Liberia;

(*d*) To assess compliance by the Government of Liberia with the Kimberley Process Certification Scheme, recalling that in resolution 1753 (2007) the Council decided to terminate the measures on diamonds imposed by paragraph 6 of resolution 1521 (2003) and renewed by paragraph 1 of resolution 1731 (2006);

(*e*) To report to the Council, through the Committee, by 6 December 2007 on all the issues listed in the present paragraph, and to provide informal updates to the Committee, as appropriate, before that date;

(*f*) To cooperate with other relevant groups of experts, in particular the group of experts on Côte d'Ivoire established pursuant to resolution 1708 (2006) of 14 September 2006;

(*g*) To identify and make recommendations regarding areas in which the capacity of States in the region can be strengthened to facilitate the implementation of the measures imposed by paragraph 4 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004);

2. *Calls upon* all States and the Government of Liberia to cooperate fully with the Panel of Experts in all the aspects of its mandate;

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5699th meeting.

THE SITUATION IN SOMALIA[103]

Decisions

At its 5535th meeting, held in private on 25 September 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5535th meeting, held in private on 25 September 2006, the Security Council considered the item entitled 'The situation in Somalia'.
>
> "The President, with the consent of the Council, extended an invitation under rule 37 of the provisional rules of procedure of the Council to the representative of Somalia, Mr. Ismael Mohamoud Hurreh, Minister for Foreign Affairs and International Cooperation.
>
> "The President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Raphael Tuju, Minister for Foreign Affairs of Kenya and Chairman of the Council of Ministers of the Intergovernmental Authority on Development.
>
> "Members of the Council, Minister Tuju and Minister Hurreh had an exchange of views."

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[103] Resolutions or decisions on this question were also adopted by the Security Council from 1992 to 1997, 1999 to 2005 and during the period from 1 January to 31 July 2006.

At its 5575th meeting, on 29 November 2006, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

> "Letter dated 21 November 2006 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council (S/2006/913)".

Resolution 1724 (2006)
of 29 November 2006

The Security Council,

Reaffirming its previous resolutions and the statements by its President concerning the situation in Somalia, in particular resolution 733 (1992) of 23 January 1992, which established an embargo on all deliveries of weapons and military equipment to Somalia (hereinafter referred to as "the arms embargo"), and resolutions 1519 (2003) of 16 December 2003, 1558 (2004) of 17 August 2004, 1587 (2005) of 15 March 2005, 1630 (2005) of 14 October 2005 and 1676 (2006) of 10 May 2006,

Reaffirming also the importance of the sovereignty, territorial integrity, political independence and unity of Somalia,

Stressing the need for the transitional federal institutions to continue working towards establishing effective national governance in Somalia,

Reiterating the urgent need for all Somali leaders to take tangible steps to continue political dialogue,

Commending the efforts of the African Union, the Intergovernmental Authority on Development and the League of Arab States for their continued support for national reconciliation in Somalia, and urging both the transitional federal institutions and the Union of Islamic Courts to recommit to the principles of the Khartoum Declaration of 22 June 2006 and the agreements made at the meeting held in Khartoum from 2 to 4 September 2006 and to engage in the next round of talks without further delays,

Reiterating its strong support for the Special Representative of the Secretary-General for Somalia,

Taking note of the report of the Monitoring Group of 16 October 2006 submitted pursuant to paragraph 3 (*i*) of resolution 1676 (2006)[104] and the observations and recommendations contained therein,

Condemning the significant increase in the flow of weapons and ammunition supplies to and through Somalia, which constitutes a violation of the arms embargo and a serious threat to peace and stability in Somalia,

Reiterating its insistence that all Member States, in particular those in the region, should refrain from any action in contravention of the arms embargo and should take all necessary steps to hold violators accountable,

Reiterating and underscoring the importance of enhancing the monitoring of the arms embargo in Somalia through persistent and vigilant investigation into the violations, bearing in mind that strict enforcement of the arms embargo will improve the overall security situation in Somalia,

Determining that the situation in Somalia constitutes a threat to international peace and security in the region,

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[104] See S/2006/913.

Acting under Chapter VII of the Charter of the United Nations,

1. *Stresses* the obligation of all Member States to comply fully with the measures imposed by resolution 733 (1992);

2. *Expresses its intention*, in the light of the report of the Monitoring Group of 16 October 2006,[104] to consider specific action to improve implementation of and compliance with measures imposed by resolution 733 (1992);

3. *Requests* the Secretary-General, in consultation with the Security Council Committee established pursuant to resolution 751 (1992) (hereinafter referred to as "the Committee"), to re-establish within thirty days of the date of adoption of the present resolution, and for a period of six months, the Monitoring Group referred to in paragraph 3 of resolution 1558 (2004), with the following mandate:

(*a*) To continue the tasks outlined in paragraphs 3 (*a*) to (*c*) of resolution 1587 (2005);

(*b*) To continue to investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit arms embargo violations;

(*c*) To continue to investigate any means of transport, routes, seaports, airports and other facilities used in connection with arms embargo violations;

(*d*) To continue refining and updating information on the draft list of those individuals and entities who violate the measures implemented by Member States in accordance with resolution 733 (1992), inside and outside Somalia, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(*e*) To continue making recommendations based on its investigations, on the previous reports of the Panel of Experts appointed pursuant to resolutions 1425 (2002) of 22 July 2002 and 1474 (2003) of 8 April 2003,[105] and on the previous reports of the Monitoring Group appointed pursuant to resolutions 1519 (2003),[106] 1558 (2004),[107] 1587 (2005),[108] 1630 (2005)[109] and 1676 (2006);[104]

(*f*) To work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the arms embargo;

(*g*) To assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the arms embargo;

(*h*) To provide to the Council, through the Committee, a midterm briefing within ninety days of its establishment, and to submit progress reports to the Committee on a monthly basis;

(*i*) To submit, through the Committee, for consideration by the Council, a final report covering all the tasks set out above, no later than fifteen days prior to the termination of the mandate of the Monitoring Group;

4. *Also requests* the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

5. *Reaffirms* paragraphs 4, 5, 7, 8 and 10 of resolution 1519 (2003);

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[105] See S/2003/223 and S/2003/1035.

[106] See S/2004/604.

[107] See S/2005/153.

[108] See S/2005/625.

[109] See S/2006/229.

6. *Requests* the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities, to consider the recommendations contained in the reports of the Monitoring Group of 5 April[109] and 16 October 2006[104] and recommend to the Council ways to improve implementation of and compliance with the arms embargo, in response to continuing violations;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5575th meeting.

Decision

At its 5579th meeting, on 6 December 2006, the Security Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled "The situation in Somalia".

Resolution 1725 (2006)
of 6 December 2006

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, in particular resolutions 733 (1992) of 23 January 1992, 1356 (2001) of 19 June 2001 and 1425 (2002) of 22 July 2002, and the statements by its President, in particular the statement of 13 July 2006,[110]

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia through the Transitional Federal Charter, and stressing the importance of broad-based and representative institutions and of an inclusive political process, as envisaged in the Transitional Federal Charter,

Reiterating its insistence that all Member States, in particular those in the region, should refrain from any action in contravention of the arms embargo and related measures, and should take all actions necessary to prevent such contraventions,

Emphasizing its willingness to engage with all parties in Somalia who are committed to achieving a political settlement through peaceful and inclusive dialogue, including the Union of Islamic Courts,

Underlining the importance for stability in Somalia of broad-based and representative institutions and of an inclusive political process, commending the crucial efforts of the League of Arab States and the Intergovernmental Authority on Development to promote and encourage political dialogue between the transitional federal institutions and the Union of Islamic Courts, expressing its full support for these initiatives, and affirming its readiness to assist, as appropriate, an inclusive political process in Somalia,

Urging both the transitional federal institutions and the Union of Islamic Courts to unite behind and continue a process of dialogue, recommit to the principles of the Khartoum Declaration of 22 June 2006 and the agreements made at the meeting held in Khartoum from 2 to 4 September 2006, and establish a stable security situation inside Somalia,

Calling upon the Union of Islamic Courts to cease any further military expansion and reject those with an extremist agenda or links to international terrorism,

Deploring the bombing in Baidoa on 30 November 2006, and expressing its concern regarding the continued violence inside Somalia,

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[110] S/PRST/2006/31.

Welcoming the agreement reached between the Union of Islamic Courts and the Secretariat of the Intergovernmental Authority on Development on 2 December 2006, and encouraging the Intergovernmental Authority to continue discussions with the transitional federal institutions,

Calling upon all parties inside Somalia and all other States to refrain from action that could provoke or perpetuate violence and violations of human rights, contribute to unnecessary tension and mistrust, endanger the ceasefire and political process, or further damage the humanitarian situation,

Taking note of the note verbale dated 16 October 2006 from the Permanent Mission of Kenya to the United Nations addressed to the President of the Security Council, transmitting the text of the deployment plan for a peacekeeping mission of the Intergovernmental Authority on Development in Somalia,

Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that the Transitional Federal Charter and the transitional federal institutions offer the only route to achieving peace and stability in Somalia, emphasizes the need for continued credible dialogue between the transitional federal institutions and the Union of Islamic Courts, and affirms, therefore, that the following provisions of the present resolution, based on the decisions of the Intergovernmental Authority on Development and the Peace and Security Council of the African Union, aim solely at supporting peace and stability in Somalia through an inclusive political process and creating the conditions for the withdrawal of all foreign forces from Somalia;

2. *Urges* the transitional federal institutions and the Union of Islamic Courts to fulfil commitments they have made, resume without delay peace talks on the basis of the agreements reached in Khartoum, and adhere to agreements reached in their dialogue, and states its intention to consider taking measures against those that seek to prevent or block a peaceful dialogue process, overthrow the transitional federal institutions by force, or take action that further threatens regional stability;

3. *Decides* to authorize the Intergovernmental Authority on Development and member States of the African Union to establish a protection and training mission in Somalia, to be reviewed after an initial period of six months by the Security Council with a briefing by the Intergovernmental Authority, with the following mandate drawing on the relevant elements of the mandate and concept of operations specified in the deployment plan for the Peacekeeping Mission of the Intergovernmental Authority on Development in Somalia:

(*a*) To monitor progress by the transitional federal institutions and the Union of Islamic Courts in implementing agreements reached in their dialogue;

(*b*) To ensure free movement and safe passage of all those involved with the dialogue process;

(*c*) To maintain and monitor security in Baidoa;

(*d*) To protect members of the transitional federal institutions and the Transitional Federal Government as well as their key infrastructure;

(*e*) To train the transitional federal institutions' security forces to enable them to provide their own security and to help to facilitate the re-establishment of national security forces of Somalia;

4. *Endorses* the specification in the deployment plan of the Intergovernmental Authority on Development that those States that border Somalia would not deploy troops to Somalia;

5. *Decides* that the measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated in paragraphs 1 and 2 of resolution 1425 (2002) shall not apply to supplies of

weapons and military equipment and technical training and assistance intended solely for the support of or use by the force referred to in paragraph 3 above;

6. *Encourages* Member States to provide financial resources for the Peacekeeping Mission of the Intergovernmental Authority on Development in Somalia;

7. *Requests* the Secretary-General, in consultation with the African Union Commission and the Secretariat of the Intergovernmental Authority on Development, to report to the Security Council on the implementation of the mandate of the Peacekeeping Mission of the Intergovernmental Authority on Development in Somalia within thirty days, and every sixty days thereafter;

8. *Emphasizes* the continued contribution made to Somalia's peace and security by the arms embargo, demands that all Member States, in particular those of the region, fully comply with it, and reiterates its intention to consider urgently ways to strengthen its effectiveness, including through targeted measures in support of the arms embargo;

9. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5579th meeting.

Decisions

At its 5611th meeting, on 22 December 2006, the Security Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled "The situation in Somalia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[111]

> "The Security Council expresses its deep concern over the continued violence inside Somalia, in particular the recent intensified fighting between the Union of Islamic Courts and the transitional federal institutions.
>
> "The Council calls upon all parties to draw back from conflict, recommit to dialogue, immediately implement resolution 1725 (2006) and refrain from any actions that could provoke or perpetuate violence and violations of human rights, contribute to unnecessary tension and mistrust, endanger the ceasefire and political process or further damage the humanitarian situation.
>
> "The Council reaffirms its respect for the sovereignty, territorial integrity, political independence and unity of Somalia.
>
> "The Council reaffirms its commitment to a comprehensive and lasting settlement of the situation in Somalia through the Transitional Federal Charter, stressing the importance of broad-based and representative institutions and of an inclusive political process, as envisaged in the Transitional Federal Charter.
>
> "The Council reiterates that the Transitional Federal Charter and the transitional federal institutions offer the only route to achieving peace and stability in Somalia, and emphasizes the need for continued credible dialogue between the transitional federal institutions and the Union of Islamic Courts. The Council therefore urges the transitional federal institutions and the Union of Islamic Courts to fulfil commitments they have made, resume without delay peace talks on the basis of the agreements reached in Khartoum, and adhere to agreements reached in their dialogue and establish a stable security situation inside Somalia. The Council welcomes all regional and international efforts to promote and encourage political dialogue between the transitional federal institutions and the Union of Islamic Courts and expresses its full support for these initiatives."

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[111] S/PRST/2006/59.

At its 5614th meeting, on 26 December 2006, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled "The situation in Somalia".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. François Lonseny Fall, Special Representative of the Secretary-General for Somalia and Head of the United Nations Political Office for Somalia.

At its 5633rd meeting, on 20 February 2007, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled "The situation in Somalia".

Resolution 1744 (2007)
of 20 February 2007

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, in particular resolutions 733 (1992) of 23 January 1992, 1356 (2001) of 19 June 2001, 1425 (2002) of 22 July 2002 and 1725 (2006) of 6 December 2006, and the statements by its President, in particular those of 13 July[110] and 22 December 2006,[111]

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia through the Transitional Federal Charter, and stressing the importance of broad-based and representative institutions reached through an all-inclusive political process, as envisaged in the Transitional Federal Charter,

Reiterating its strong support for the Special Representative of the Secretary-General for Somalia, Mr. François Lonseny Fall,

Reiterating its appreciation of the efforts of the African Union, the League of Arab States and the Intergovernmental Authority on Development to promote peace, stability and reconciliation in Somalia, and welcoming their continued engagement in this regard,

Taking note of the communiqué of 19 January 2007 of the Peace and Security Council of the African Union,[112] which states that the African Union shall deploy for a period of six months a mission to Somalia, aimed essentially at contributing to the initial stabilization phase in Somalia, and that the mission will evolve into a United Nations operation that will support the long-term stabilization and post-conflict restoration of Somalia,

Welcoming the intention of the African Union to establish a mission in Somalia, and underlining the urgency of the development,

Welcoming also the decision of Ethiopia to withdraw its troops from Somalia, taking note of the fact that Ethiopia has already started withdrawing its troops, and underlining that the deployment of the African Union Mission in Somalia will help to avoid a security vacuum and create the conditions for full withdrawal and the lifting of emergency security measures currently in place,

Reiterating its support for Somalia's transitional federal institutions, underlining the importance of maintaining and providing stability and security throughout Somalia, and underscoring in this regard the importance of disarmament, demobilization and reintegration of militia and ex-combatants in Somalia,

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[112] S/2007/34, annex.

Condemning all acts of violence and extremism inside Somalia, deploring the recent bombings in Mogadishu, and expressing its concern regarding the continued violence inside Somalia,

Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Stresses* the need for broad-based and representative institutions reached through an all-inclusive political process in Somalia, as envisaged in the Transitional Federal Charter, in order to consolidate stability, peace and reconciliation in the country and ensure that international assistance is as effective as possible;

2. *Welcomes* the initiative of the transitional federal institutions to pursue an inclusive intra-Somali political process, particularly the announcement made by President Abdullahi Yusuf Ahmed, at the African Union summit held in Addis Ababa on 29 and 30 January 2007, of his intention to convene urgently a national reconciliation congress involving all stakeholders, including political leaders, clan leaders, religious leaders and representatives of civil society, looks forward to the sustained and all-inclusive political process that is needed as a result of that commitment and that will help to pave the way to democratic elections at the local, regional and national levels as set out in Somalia's Transitional Federal Charter, and encourages those in the Transitional Federal Government and the other transitional federal institutions to unite behind efforts to promote such an inclusive dialogue;

3. *Requests* the Secretary-General to assist the transitional federal institutions with the national reconciliation congress, and, more widely, promoting an ongoing all-inclusive political process, working together with the African Union, the League of Arab States and the Intergovernmental Authority on Development, requests the Secretary-General to report back to the Security Council within sixty days of the adoption of the present resolution on progress made by the transitional federal institutions in pursuing an all-inclusive political process and reconciliation, and reiterates its intention to consider taking measures against those who seek to prevent or block a peaceful political process, threaten the transitional federal institutions by force, or take action that undermines stability in Somalia or the region;

4. *Decides* to authorize member States of the African Union to establish for a period of six months a mission in Somalia, which shall be authorized to take all necessary measures, as appropriate, to carry out the following mandate:

(*a*) To support dialogue and reconciliation in Somalia by assisting with the free movement, safe passage and protection of all those involved with the process referred to in paragraphs 1, 2 and 3 above;

(*b*) To provide, as appropriate, protection to the transitional federal institutions to help them to carry out their functions of government, and security for key infrastructure;

(*c*) To assist, within its capabilities, and in coordination with other parties, with implementation of the National Security and Stabilization Plan, in particular the effective re-establishment and training of all-inclusive Somali security forces;

(*d*) To contribute, as may be requested and within capabilities, to the creation of the necessary security conditions for the provision of humanitarian assistance;

(*e*) To protect its personnel, facilities, installations, equipment and mission, and to ensure the security and freedom of movement of its personnel;

5. *Urges* member States of the African Union to contribute to the above mission in order to create the conditions for the withdrawal of all other foreign forces from Somalia;

6. *Decides* that the measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated in paragraphs 1 and 2 of resolution 1425 (2002) shall not apply to:

(*a*) Supplies of weapons and military equipment, technical training and assistance intended solely for the support of or use by the mission referred to in paragraph 4 above; or

(*b*) Such supplies and technical assistance by States intended solely for the purpose of helping to develop security sector institutions, consistent with the political process set out in paragraphs 1, 2 and 3 above and in the absence of a negative decision by the Security Council Committee established pursuant to resolution 751 (1992) within five working days of receiving the notification described in paragraph 7 below;

7. *Decides also* that States providing supplies or technical assistance in accordance with paragraph 6 (*b*) above shall notify the Committee established pursuant to resolution 751 (1992) in advance and on a case-by-case basis;

8. *Urges* Member States to provide personnel, equipment and services if required, for the successful deployment of the African Union Mission in Somalia, and encourages Member States to provide financial resources for the Mission;

9. *Requests* the Secretary-General to send a technical assessment mission to the African Union headquarters and Somalia as soon as possible to report on the political and security situation and the possibility of a United Nations peacekeeping operation following the deployment of the African Union, and to report to the Council within sixty days of the adoption of the present resolution with recommendations covering the further engagement of the United Nations in support of peace and security in Somalia, as well as further recommendations on stabilization and reconstruction;

10. *Emphasizes* the continued contribution made to Somalia's peace and security by the arms embargo, demands that all Member States, in particular those of the region, fully comply with it, and reiterates its intention to consider urgently ways to strengthen its effectiveness, including through targeted measures in support of the arms embargo;

11. *Expresses its deep concern* over the humanitarian situation in Somalia, demands that all parties in Somalia ensure complete and unhindered humanitarian access, as well as providing guarantees for the safety and security of humanitarian aid workers in Somalia, and welcomes and encourages the ongoing relief efforts in Somalia;

12. *Decides* that, having regard to the establishment of the African Union Mission in Somalia, the measures contained in paragraphs 3 to 7 of resolution 1725 (2006) shall no longer apply;

13. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5633rd meeting.

Decisions

At its 5671st meeting, on 30 April 2007, the Security Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

> "Report of the Secretary-General on the situation in Somalia pursuant to paragraphs 3 and 9 of Security Council resolution 1744 (2007) (S/2007/204)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[113]

"The Security Council reiterates its previous resolutions and the statements by its President on Somalia, in particular resolution 1744 (2007).

"The Council reaffirms its respect for the sovereignty, territorial integrity, political independence and unity of Somalia.

"The Council expresses its grave concern at the renewed fighting in Somalia, deeply deplores the loss of civilian life – condemning in particular the indiscriminate shelling of heavily populated areas of Mogadishu – and the humanitarian impact of the fighting, and calls upon all parties to immediately end the hostilities and agree to a comprehensive ceasefire.

"The Council emphasizes the need for strengthened efforts to provide humanitarian relief assistance to Somalia, including assistance to the hundreds of thousands of displaced persons, and urges Member States to support generously such operations.

"The Council demands that all parties in Somalia comply fully with international humanitarian law, protect the civilian population and guarantee complete, unhindered and secure access for humanitarian assistance. It demands that the relevant authorities do all they can in this regard, in particular to facilitate the free movement of aid and humanitarian workers throughout Somalia and when entering or leaving Somalia. The Council also urges the wider region to help to facilitate the cross-border provision of aid to Somalia, across land borders or via airports and seaports.

"The Council reiterates its support for the political process outlined in the Transitional Federal Charter, which provides a framework for reaching a lasting political solution in Somalia, including the transition to a permanent, representative government and institutions following national elections at the end of the transitional period.

"The Council notes the steps taken since the adoption of its resolution 1744 (2007), welcomes the commitment of the transitional federal institutions to initiate a national reconciliation process, and stresses the need for further progress.

"The Council urges Somalia's transitional federal institutions to show leadership and commitment to reach out to all components of Somali society, and in particular to intensify their dialogue with the clans in Mogadishu. It calls upon all parties in Somalia, the region and the wider international community to reject violence, to deny safe haven to extremist elements, to pursue any differences they might have with the transitional federal institutions through dialogue, and to summon the political will to take the necessary steps to allow the transitional federal institutions to deliver a sustainable, all-inclusive political process.

"The Council underlines the need for the transitional federal institutions to meet their responsibilities during the transitional period, with particular regard to promoting the widest possible political dialogue across Somalia, and reiterates its commitment to support the transitional federal institutions in those efforts. The Council calls upon all parties in Somalia and Member States to provide such support.

"The Council calls upon the transitional federal institutions to ensure that the National Reconciliation Congress is convened as soon as possible, and is truly representative of all segments of Somali society. The Council also calls upon all parties in Somalia and other international partners to work towards that end, and to ensure constructive participation in the National Reconciliation Congress to pave the way to a sustained and all-inclusive political process.

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[113] S/PRST/2007/13.

"The Council condemns those who threaten the early convening of the National Reconciliation Congress. The Council recognizes the work of the Special Representative of the Secretary-General for Somalia, the United Nations Development Programme, the International Advisory Committee and Member States to support the National Reconciliation Congress, and urges Member States and partners to contribute continued technical and financial support.

"The Council requests the Secretary-General, in consultation with the African Union, the League of Arab States and the Intergovernmental Authority on Development, to do what he can to assist in furthering ceasefire arrangements and the political dialogue, especially in Mogadishu.

"The Council recalls its readiness, as set out in its resolution 1744 (2007), to consider taking measures against those who seek to prevent or block a peaceful political process, threaten the transitional federal institutions by force, or take action that undermines stability in Somalia or the region.

"The Council requests the Secretary-General to report by mid-June 2007 on progress towards convening the National Reconciliation Congress and the broader political dialogue, including progress towards a comprehensive and permanent ceasefire arrangement, and on any blockages to progress or threats to the transitional federal institutions.

"The Council reiterates that, as set out in its resolution 1744 (2007), full and effective deployment of the African Union Mission in Somalia is vital. The Council welcomes deployments so far under the Mission and calls upon other potential troop-contributing countries to deploy as soon as possible to the Mission. It reiterates its call for other States and partners to provide logistical, technical and financial support to ensure the further deployment of the Mission. The Council also welcomes the Secretary-General's offer of planning assistance to the African Union.

"The Council emphasizes the contribution of the Mission to lasting peace and stability in Somalia, condemns any hostility towards it, and urges all parties in Somalia and the region to support and cooperate with the Mission.

"The Council welcomes the technical assessment mission sent by the Secretary-General to Somalia and the region. It requests the Secretary-General to consult the African Union and troop contributors on how to urgently strengthen further the capabilities of the Mission on the ground. It also requests the Secretary-General, as suggested in his report,[114] to immediately begin appropriate contingency planning for a possible United Nations mission, to be deployed if the Council decides to authorize such a mission. The Council requests the Secretary-General to report by mid-June on this preparatory work, progress in the reconciliation process and developments on the ground, as well as possible scenarios for a continued international security presence in Somalia.

"The Council states its intention to review the situation in Somalia following the report of the Secretary-General described above, with a view to determining whether the conditions are in place for deployment of a United Nations peacekeeping operation."

On 30 April 2007, the President of the Security Council addressed the following letter to the Secretary-General:[115]

"I have the honour to inform you that your letter dated 25 April 2007 concerning your intention to extend the mandate of your Special Representative for Somalia and Head of the United Nations Political Office for Somalia until 8 May 2008[116] has been brought to the attention of the members of the Security Council. They take note of the information and intention contained in your letter, although they underline that the Secretary-General might revisit the mandate in, for example, six months, given the possibility that the United Nations might decide to change the nature of its presence in Somalia during this period."

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[114] S/2007/204.

[115] S/2007/244.

[116] S/2007/243.

On 11 June 2007, the President of the Security Council addressed the following letter to the Secretary-General:[117]

"I have the honour to inform you that the members of the Security Council have decided to send a mission to Africa from 14 to 21 June 2007. The mission will travel to Addis Ababa, Khartoum, Accra, Abidjan and Kinshasa. The members of the Council have agreed on the terms of reference of the mission (see annexes).

"Following consultations with the members, it has been agreed that the composition of the mission is as follows:

"Belgium (Ambassador Olivier Belle)

"China (Ambassador Wang Guangya)

"Congo (Mr. Lazare Makayat-Safouesse)

"France (Ambassador Jean-Marc de La Sablière)

"Ghana (Ambassador Leslie Christian)

"Indonesia (Mr. Rachmat Budiman)

"Italy (Ambassador Aldo Mantovani)

"Panama (Ambassador Alfredo Suescum)

"Peru (Ambassador Jorge Voto-Bernales)

"Qatar (Mr. Tariq Ali Faraj H. Al-Ansari)

"Russian Federation (Ambassador Konstantin Dolgov)

"Slovakia (Ambassador Peter Burian)

"South Africa (Ambassador Dumisani Kumalo)

"United Kingdom of Great Britain and Northern Ireland (Ambassador Emyr Jones Parry)[118]

"United States of America (Ambassador Zalmay Khalilzad)[119]

"I should be grateful if you could have this letter and its annex circulated as a document of the Security Council.

"Annex I

"Security Council mission to Addis Ababa and Accra: terms of reference

"Led by Ambassador Emyr Jones Parry (United Kingdom of Great Britain and Northern Ireland) and Ambassador Dumisani Kumalo (South Africa)

"1. Exchange of views on how best to maximize the relationship between the Security Council and regional organizations, in particular the African Union, including in respect of Chapter VIII of the Charter of the United Nations.

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[117] S/2007/347.

[118] Addis Ababa, Khartoum and Accra only. Mr. Michael Hoare will represent the United Kingdom on the Abidjan and Kinshasa legs of the mission.

[119] Addis Ababa, Khartoum and Accra only. Mr. William Brencick will represent the United States on the Abidjan and Kinshasa legs of the mission.

"2. Discuss mechanisms for elaborating closer ties in the fields of conflict prevention, mediation and good offices, peacekeeping and post-conflict reconstruction, including peacebuilding, and identify areas where particular focus is needed to make further progress.

"3. Discuss ways and means of supporting and improving in a sustained way the resource base and capacity of the Peace and Security Architecture of the African Union.

"4. Exchange of views on wider African situations of interest to both the Security Council and the Peace and Security Council of the African Union, welcoming enhanced cooperation between the United Nations and the African Union on issues including, but not limited to:

- The Sudan: facilitation of the implementation of the phased approach to peacekeeping, including the deployment of the African Union/United Nations hybrid operation
- Somalia: national reconciliation process; the African Union Mission in Somalia – progress and challenges; future role of the United Nations
- Chad/Central African Republic: prospects for deployment of a United Nations mission
- Côte d'Ivoire: political transition, including elections
- Democratic Republic of the Congo: post-election progress and challenges
- Ethiopia-Eritrea: implementation of the decision of the Eritrea-Ethiopia Boundary Commission
- Great Lakes (Lord's Resistance Army): the threat from the Lord's Resistance Army and ongoing efforts to resolve this problem.

"5. Commend the efforts of the African Union to achieve lasting peace in Africa, and consider how best to develop closer relations between the United Nations and the African Union, in line with the 10-year plan for capacity-building with the African Union.

"Annex II

"Security Council mission to the Sudan: terms of reference

"Led by Ambassador Emyr Jones Parry (United Kingdom of Great Britain and Northern Ireland) and Ambassador Dumisani Kumalo (South Africa)

"1. To reaffirm the Security Council's commitment to the sovereignty, unity and territorial integrity of the Sudan and the international community's determination to help Sudan to achieve a peaceful and prosperous development, and to review the implementation of the Comprehensive Peace Agreement.[120]

"2. To encourage the Government of the Sudan and the non-signatory parties to engage constructively in the Darfur peace process with a view to finding lasting peace in the Sudan, in particular support for the forthcoming talks to be convened by the United Nations and African Union Special Envoys for Darfur.

"3. To encourage the efforts of the African Union, the United Nations, in consultation with the Government of the Sudan, to achieve without delay full agreement on and full implementation of the Addis Ababa outcome that provided for a re-energized political process, a strengthened ceasefire and a three-phased approach to peacekeeping: the light support package (phase I), the heavy support package (phase II) and the hybrid operation (phase III).

"4. To encourage all parties to fully implement the ceasefire agreement.

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[120] S/2005/78, annex.

"5. To underscore the need for full implementation by all parties of international obligations in the political, security and humanitarian fields.

"Annex III

"Security Council mission to Côte d'Ivoire: terms of reference

"Led by Ambassador Jorge Voto-Bernales (Peru)

"1. To welcome the ownership of the peace process by the Ivorian parties within the framework of the Ouagadougou agreement.[121]

"2. To encourage the parties to implement fully and in good faith all the provisions of the Ouagadougou agreement and of the subsequent agreements, and to express the readiness of the Security Council to help them in this regard.

"3. To welcome the fact that Ivorian parties as well as the Facilitator stressed that continued United Nations assistance was essential to the peace process. To determine with Ivorian parties, and in liaison with the Facilitation, the role of the United Nations in the follow-up of the peace process. To underline the importance of meeting the agreed timelines.

"4. To stress the importance of a lasting and final settlement of the crisis and, therefore, of the credibility of all the process. To reaffirm, in particular, the commitment of the Council to the credibility of the elections, which shall be guaranteed by the certification of key steps of the electoral process. To recall the necessity to implement in a credible manner the operations of disarmament of ex-combatants and militia, identification of the population and registration of voters, as set out in the Ouagadougou agreement.

"5. To call upon the parties to ensure an environment favourable to the holding of free, open, fair and transparent elections, in particular by guaranteeing that the media remain neutral.

"6. To point out that the Council will examine the sanctions regime in order to contribute to the peace process, taking into account the peaceful implementation of the Ouagadougou agreement.

"7. To encourage the Ivorian parties, in implementing the Ouagadougou agreement, to ensure the protection of vulnerable civilians, in particular children, women, internally displaced persons and other groups affected by the crisis.

"Annex IV

"Security Council mission to the Democratic Republic of the Congo: terms of reference

"Led by Ambassador Jean-Marc de La Sablière (France)

"1. To reaffirm the commitment of the Security Council to help the Congolese authorities to consolidate peace, democratic governance and the rule of law in the post-transitional period in the Democratic Republic of the Congo. To stress that the new mandate of the United Nations Organization Mission in the Democratic Republic of the Congo set out in resolution 1756 (2007) constitutes a significant contribution by the United Nations to this endeavour.

"2. To welcome the adoption of the programme of the Government, in particular the governance contract included therein, and to emphasize the need for the Government to rapidly implement the contract and to deliver peace dividends to the Congolese population.

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[121] S/2007/144, annex.

"3. To urge all political parties to remain committed to the political process and national reconciliation in accordance with the constitutional framework and the law. To call upon the democratically elected authorities to respect the space and role conferred on the opposition parties by the Constitution in order to ensure their effective participation in the national political debate.

"4. To stress the importance of developing, as a matter of urgency, a national security strategy and planning and carrying out the security sector reform in order to establish professional security organizations in the areas of defence, police and the administration of justice that are well managed, protect civilians and act in accordance with the Constitution and with respect for the rule of law, human rights and international humanitarian law. To stress also the importance of disarming, demobilizing, resettling or repatriating, as appropriate, and reintegrating Congolese and foreign combatants. To explore the next steps to be taken by the Congolese authorities and their international partners in this regard.

"5. To discuss with the Congolese authorities the ways and means of defusing current tensions and engaging in a plan for the long-term stabilization of the eastern part of the country, particularly in the regions of the Kivus and Ituri. To call upon the Congolese authorities to step up their efforts to put an end to impunity and to ensure effective protection of the population throughout the territory.

"6. To express the Council's concern at the persistence of violations of human rights and international humanitarian law, in particular those carried out by Congolese militias and foreign armed groups but also by elements of the Congolese security forces.

"7. To encourage the Government of the Democratic Republic of the Congo to establish with its principal international partners an effective arrangement for regular consultations promoting a political dialogue.

"8. To welcome the signing in Nairobi on 15 December 2006 of the Pact on Security, Stability and Development in the Great Lakes Region, and to encourage the Government of the Democratic Republic of the Congo to continue to work with its neighbours to resolve in a constructive manner the shared security and border problems of countries in the region. To encourage the Government of the Democratic Republic of the Congo to ratify the Pact and to fully resume diplomatic relations with all neighbours."

At its 5695th meeting, on 14 June 2007, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled "The situation in Somalia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[122]

"The Security Council reiterates its previous resolutions and the statements by its President on Somalia, in particular resolution 1744 (2007) and the statement of 30 April 2007.[113]

"The Council reiterates its support for the National Reconciliation Congress as a mechanism for much-needed political dialogue and reconciliation in Somalia. The Council calls upon the Transitional Federal Government and the National Governance and Reconciliation Committee to ensure that the Congress convenes as soon as practicable. The Council appreciates the efforts of Member States and partners to support the early convening of the Congress and calls for further support. The Council underscores the importance of the Congress:

- Addressing in a comprehensive and meaningful manner issues of political reconciliation, including representation in the transitional federal institutions, and

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[122] S/PRST/2007/19.

- Agreeing on a road map for the remainder of the transitional political process, in line with the Transitional Federal Charter and as laid out in the Road Map to Governance, National Dialogue and Reconciliation in Somalia of 14 March 2007.

"The Council expresses its grave concern regarding the recent pattern of attacks by extremist elements in Somalia, including the increased use of explosive devices, and condemns all attempts to use violence to undermine the political process and prevent the early convening of the National Reconciliation Congress. The Council calls upon all Member States to cease immediately any further support for extremist elements or those who seek to block progress by violent means, and to support the ongoing efforts towards inclusive political dialogue. The Council recalls its readiness, as set out in its resolution 1744 (2007), to consider measures against those who block progress in the political process and threaten the transitional federal institutions.

"The Council condemns the attack on the Prime Minister on 3 June 2007 and the attack on the forces of the African Union Mission in Somalia in Mogadishu on 16 May 2007. The Council expresses its deepest sympathies to the families of the victims.

"The Council underlines its appreciation for the efforts of the Ugandan forces currently deployed in Mogadishu under the African Union Mission in Somalia and Uganda's invaluable contribution to peace and stability in Somalia. The Council reiterates its call upon member States of the African Union to contribute troops for the Mission, and its call upon other States and partners to provide financial, technical and logistical support for this effort.

"The Council emphasizes the urgent need for appropriate contingency planning for a possible United Nations mission, to be deployed in Somalia if the Council decides to authorize such a mission. The Council looks forward to receiving the report of the Secretary-General regarding progress in this regard by mid-June 2007.

"The Council emphasizes again the need for strengthened efforts to provide humanitarian relief assistance to Somalia, including assistance to the hundreds of thousands of displaced persons, urges Member States to support generously such operations, and demands that all parties ensure unfettered access for humanitarian assistance."

At its 5707th meeting, held in private on 28 June 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5707th meeting, held in private on 28 June 2007, the Security Council considered the item entitled 'The situation in Somalia'.

"The President, with the consent of the Council, invited the representative of Somalia to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"Members of the Council and Mr. Ali Mohamed Gedi, Prime Minister of the Transitional Federal Government of Somalia, had an exchange of views."

At its 5720th meeting, on 23 July 2007, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

"Letter dated 17 July 2007 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council (S/2007/436)".

Resolution 1766 (2007)
of 23 July 2007

The Security Council,

Reaffirming its previous resolutions and the statements by its President concerning the situation in Somalia, in particular resolution 733 (1992) of 23 January 1992, which established an embargo on all deliveries of weapons and military equipment to Somalia (hereinafter referred to as "the arms embargo"), and resolutions 1519 (2003) of 16 December 2003, 1558 (2004) of 17 August 2004, 1587 (2005) of 15 March 2005, 1630 (2005) of 14 October 2005, 1676 (2006) of 10 May 2006, 1724 (2006) of 29 November 2006 and 1744 (2007) of 20 February 2007,

Recalling that, as set out in resolution 1744 (2007), the arms embargo on Somalia does not apply to supplies and technical assistance by States intended solely for the purpose of helping to develop security sector institutions, consistent with the political process set out in that resolution and in the absence of a negative decision by the Security Council Committee established pursuant to resolution 751 (1992),

Reaffirming the importance of the sovereignty, territorial integrity, political independence and unity of Somalia,

Stressing the need for the transitional federal institutions to continue working towards establishing effective national governance in Somalia,

Reiterating the urgent need for all Somali leaders to take tangible steps to continue political dialogue,

Commending the efforts of the African Union, the Intergovernmental Authority on Development and the League of Arab States for their continued support for national reconciliation in Somalia, and urging the transitional federal institutions, clans, business leaders, civil society, religious leaders and other Somali political leaders to work together to ensure an effective National Reconciliation Congress and to guarantee security for it in order to make progress in the political process in Somalia,

Reiterating its strong support for the Special Representative of the Secretary-General for Somalia,

Taking note of the report of the Monitoring Group submitted on 17 July 2007 pursuant to paragraph 3 (*i*) of resolution 1724 (2006)[123] and the observations and recommendations contained therein,

Condemning flows of weapons and ammunition supplies to and through Somalia in violation of the arms embargo as a serious threat to peace and stability in Somalia,

Reiterating its insistence that all Member States, in particular those in the region, should refrain from any action in contravention of the arms embargo and should take all necessary steps to hold violators accountable,

Reiterating and underscoring the importance of enhancing the monitoring of the arms embargo in Somalia through persistent and vigilant investigation into the violations, bearing in mind that strict enforcement of the arms embargo will improve the overall security situation in Somalia,

Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

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[123] See S/2007/436.

1. *Stresses* the obligation of all Member States to comply fully with the measures imposed by resolution 733 (1992);

2. *Expresses its intention*, in the light of the report of the Monitoring Group of 17 July 2007,[123] to consider specific action to improve implementation of and compliance with measures imposed by resolution 733 (1992);

3. *Decides* to extend the mandate of the Monitoring Group referred to in paragraph 3 of resolution 1558 (2004), and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group for a further six months, drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to resolution 1724 (2006) and appointing new members as necessary, in consultation with the Security Council Committee established pursuant to resolution 751 (1992) (hereinafter referred to as "the Committee"), the mandate to be as follows:

(*a*) To continue the tasks outlined in paragraphs 3 (*a*) to (*c*) of resolution 1587 (2005);

(*b*) To continue to investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit arms embargo violations;

(*c*) To continue to investigate any means of transport, routes, seaports, airports and other facilities used in connection with arms embargo violations;

(*d*) To continue refining and updating information on the draft list of those individuals and entities who violate the measures implemented by Member States in accordance with resolution 733 (1992), inside and outside Somalia, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(*e*) To continue making recommendations based on its investigations, on the previous reports of the Panel of Experts appointed pursuant to resolutions 1425 (2002) of 22 July 2002 and 1474 (2003) of 8 April 2003,[105] and on the previous reports of the Monitoring Group appointed pursuant to resolutions 1519 (2003),[106] 1558 (2004),[107] 1587 (2005),[108] 1630 (2005),[109] 1676 (2006)[104] and 1724 (2006);[123]

(*f*) To work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the arms embargo;

(*g*) To assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the arms embargo;

(*h*) To provide to the Council, through the Committee, a midterm briefing within ninety days of its establishment, and to submit progress reports to the Committee on a monthly basis;

(*i*) To submit, through the Committee, for the consideration of the Council, a final report covering all the tasks set out above, no later than fifteen days prior to the termination of the mandate of the Monitoring Group;

4. *Requests* the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

5. *Reaffirms* paragraphs 4, 5, 7, 8 and 10 of resolution 1519 (2003);

6. *Requests* the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities, to consider the recommendations contained in the reports of the Monitoring Group of 5 April[109] and 16 October 2006[104] and 17 July 2007[123] and recommend to the Council ways to improve implementation of and compliance with the arms embargo, in response to continuing violations;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5720th meeting.

ITEMS RELATING TO THE SITUATION IN THE FORMER YUGOSLAVIA

A. The situation in Bosnia and Herzegovina[124]

Decisions

At its 5563rd meeting, on 8 November 2006, the Security Council decided to invite the representatives of Bosnia and Herzegovina (Chairman of the Council of Ministers) and Finland to participate, without vote, in the discussion of the item entitled:

> "The situation in Bosnia and Herzegovina
>
> > "Letter dated 12 October 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/810)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Christian Schwarz-Schilling, High Representative for Bosnia and Herzegovina.

At its 5567th meeting, on 21 November 2006, the Council decided to invite the representatives of Bosnia and Herzegovina, Finland, Germany and Italy to participate, without vote, in the discussion of the item entitled "The situation in Bosnia and Herzegovina".

Resolution 1722 (2006)
of 21 November 2006

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia and the relevant statements by its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1423 (2002) of 12 July 2002, 1491 (2003) of 11 July 2003, 1551 (2004) of 9 July 2004, 1575 (2004) of 22 November 2004 and 1639 (2005) of 21 November 2005,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Emphasizing its full support for the continued role in Bosnia and Herzegovina of the High Representative for Bosnia and Herzegovina,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[125] as well as the relevant decisions of the Peace Implementation Council,

Recalling all the agreements concerning the status of forces referred to in appendix B to annex 1-A of the Peace Agreement, and reminding the parties of their obligation to continue to comply therewith,

Recalling also the provisions of its resolution 1551 (2004) concerning the provisional application of the status-of-forces agreements contained in appendix B to annex 1-A of the Peace Agreement,

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational stabilization force (the European Union Force), the Senior Military Representative and personnel of the North Atlantic Treaty Organization Headquarters Sarajevo, the Organization for Security and Cooperation in Europe, the European Union and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

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[124] Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.

[125] See S/1995/999.

Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the ministerial meetings of the Peace Implementation Council,

Recognizing that full implementation of the Peace Agreement is not yet complete, while paying tribute to the achievements of the authorities at State and entity level in Bosnia and Herzegovina and of the international community in the eleven years since the signing of the Peace Agreement,

Emphasizing the importance of Bosnia and Herzegovina's progress towards Euro-Atlantic integration on the basis of the Peace Agreement, while recognizing the importance of Bosnia and Herzegovina's transition to a functional, reform-oriented, modern and democratic European country,

Taking note of the reports of the High Representative, including his latest report, of 6 October 2006,[126]

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994[127] and the statement by its President of 9 February 2000,[128]

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Taking note of the conclusions of the Ministers for Foreign Affairs of the European Union at their meeting of 12 June 2006, which refer to the requirement for the European Union Force to remain in Bosnia and Herzegovina beyond 2006, and confirm the intention of the European Union to take the steps necessary to that end,

Recalling the letters between the European Union and the North Atlantic Treaty Organization sent to the Security Council on 19 November 2004 on how those organizations will cooperate together in Bosnia and Herzegovina,[129] in which both organizations recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement,

Recalling also the confirmation by the Presidency of Bosnia and Herzegovina, on behalf of Bosnia and Herzegovina, including its constituent entities, of the arrangements for the European Union Force and the North Atlantic Treaty Organization Headquarters presence,[130]

Welcoming the increased engagement of the European Union in Bosnia and Herzegovina and the continued engagement of the North Atlantic Treaty Organization,

Further welcoming tangible signs of Bosnia and Herzegovina's progress towards the European Union, and, in particular, the progress made in the negotiations of Bosnia and

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[126] See S/2006/810, annex.

[127] United Nations, *Treaty Series*, vol. 2051, No. 35457.

[128] S/PRST/2000/4.

[129] See S/2004/915 and S/2004/916.

[130] See S/2004/917.

Herzegovina with the European Union on a Stabilization and Association Agreement, and calling upon the authorities in Bosnia and Herzegovina to implement in full their undertakings, including on police reform, as part of that process,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter,

1. *Reaffirms once again its support* for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[125] as well as for the Dayton Agreement on Implementing the Federation of Bosnia and Herzegovina of 10 November 1995,[131] and calls upon the parties to comply strictly with their obligations under those Agreements;

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in strengthening joint institutions, which foster the building of a fully functioning self-sustaining State able to integrate itself into the European structures, and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the Tribunal includes, inter alia, the surrender for trial or apprehension of all persons indicted by the Tribunal and the provision of information to assist in Tribunal investigations;

4. *Emphasizes its full support* for the continued role of the High Representative for Bosnia and Herzegovina in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that, under annex 10 of the Peace Agreement, the High Representative is the final authority in theatre regarding the interpretation of civilian implementation of the Peace Agreement and that, in case of dispute, he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn, Germany, on 9 and 10 December 1997;[132]

5. *Expresses its support* for the declarations of the ministerial meetings of the Peace Implementation Council;

6. *Reaffirms* its intention to keep implementation of the Peace Agreement and the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 21 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

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[131] S/1995/1021, annex.

[132] See S/1997/979, annex.

7. *Recalls* the support of the authorities of Bosnia and Herzegovina for the European Union Force and the continued North Atlantic Treaty Organization presence and their confirmation that both are the legal successors to the Stabilization Force for the fulfilment of their missions for the purposes of the Peace Agreement, its annexes and appendices and relevant Security Council resolutions and can take such actions as are required, including the use of force, to ensure compliance with annexes 1-A and 2 of the Peace Agreement and relevant Council resolutions;

8. *Pays tribute* to those Member States which participated in the multinational stabilization force (the European Union Force) and in the continued North Atlantic Treaty Organization presence, established in accordance with its resolution 1575 (2004) and extended by its resolution 1639 (2005), and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational stabilization force (the European Union Force) and by maintaining a continued North Atlantic Treaty Organization presence;

9. *Welcomes* the intention of the European Union to maintain a European Union military operation to Bosnia and Herzegovina from November 2006;

10. *Authorizes* the Member States acting through or in cooperation with the European Union to establish for a further period of twelve months, starting from the date of adoption of the present resolution, a multinational stabilization force (the European Union Force) as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the North Atlantic Treaty Organization Headquarters presence in accordance with the arrangements agreed between the North Atlantic Treaty Organization and the European Union as communicated to the Security Council in their letters of 19 November 2004,[129] which recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement;

11. *Welcomes* the decision of the North Atlantic Treaty Organization to continue to maintain a presence in Bosnia and Herzegovina in the form of a North Atlantic Treaty Organization Headquarters in order to continue to assist in implementing the Peace Agreement in conjunction with the European Union Force, and authorizes the Member States acting through or in cooperation with the North Atlantic Treaty Organization to continue to maintain a North Atlantic Treaty Organization Headquarters as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the European Union Force in accordance with the arrangements agreed between the North Atlantic Treaty Organization and the European Union as communicated to the Security Council in their letters of 19 November 2004, which recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement;

12. *Reaffirms* that the Peace Agreement and the provisions of its previous relevant resolutions shall apply to and in respect of both the European Union Force and the North Atlantic Treaty Organization presence as they have applied to and in respect of the Stabilization Force and that, therefore, references in the Peace Agreement, in particular in annex 1-A and the appendices thereto, and in relevant resolutions to the Implementation Force and/or the Stabilization Force, the North Atlantic Treaty Organization and the North Atlantic Council shall be read as applying, as appropriate, to the North Atlantic Treaty Organization presence, the European Union Force, the European Union and the Political and Security Committee and Council of the European Union respectively;

13. *Expresses its intention* to consider the terms of further authorization as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

14. *Authorizes* the Member States acting under paragraphs 10 and 11 above to take all necessary measures to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, stresses that the parties shall continue to be held equally

responsible for the compliance with those annexes and shall be equally subject to such enforcement action by the European Union Force and the North Atlantic Treaty Organization presence as may be necessary to ensure implementation of those annexes and the protection of the European Union Force and the North Atlantic Treaty Organization presence;

15. *Authorizes* Member States to take all necessary measures, at the request of either the European Union Force or the North Atlantic Treaty Organization Headquarters, in defence of the European Union Force or the North Atlantic Treaty Organization presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both the European Union Force and the North Atlantic Treaty Organization presence to take all necessary measures to defend themselves from attack or threat of attack;

16. *Authorizes* the Member States acting under paragraphs 10 and 11 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

17. *Demands* that the parties respect the security and freedom of movement of the European Union Force, the North Atlantic Treaty Organization presence and other international personnel;

18. *Requests* the Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with the North Atlantic Treaty Organization to report to the Security Council on the activity of the European Union Force and the North Atlantic Treaty Organization Headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals;

19. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraphs 10 and 11 above;

20. *Reiterates its appreciation* for the deployment by the European Union of its Police Mission to Bosnia and Herzegovina since 1 January 2003;

21. *Requests* the Secretary-General to continue to submit to the Security Council reports from the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996,[133] and later Peace Implementation Conferences, on the implementation of the Peace Agreement and in particular on compliance by the parties with their commitments under that Agreement;

22. *Decides* to remain seized of the matter.

Adopted unanimously at the 5567th meeting.

Decisions

At its 5675th meeting, on 16 May 2007, the Security Council decided to invite the representatives of Bosnia and Herzegovina (Chairman of the Council of Ministers) and Germany to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Letter dated 3 May 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/253)".

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[133] See S/1996/1012, annex.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Christian Schwarz-Schilling, High Representative for Bosnia and Herzegovina.

At its 5713th meeting, on 29 June 2007, the Council decided to invite the representatives of Bosnia and Herzegovina and Germany to participate, without vote, in the discussion of the item entitled "The situation in Bosnia and Herzegovina".

Resolution 1764 (2007)
of 29 June 2007

The Security Council,

Recalling all its previous relevant resolutions,

Recalling also the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[125] and the conclusions of the Peace Implementation Conferences held in Bonn, Germany, on 9 and 10 December 1997,[132] in Madrid on 15 and 16 December 1998[134] and in Brussels on 23 and 24 May 2000[135] as well as the Declaration by the Steering Board of the Peace Implementation Council of 19 June 2007,

1. *Welcomes and agrees* to the designation by the Steering Board of the Peace Implementation Council on 19 June 2007 of Mr. Miroslav Lajčák as High Representative for Bosnia and Herzegovina in succession to Mr. Christian Schwarz-Schilling;

2. *Pays tribute* to the efforts of Mr. Schwarz-Schilling in his work as High Representative;

3. *Reaffirms* the importance it attaches to the role of the High Representative in pursuing the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement")[125] and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement;

4. *Reaffirms also* the final authority of the High Representative in theatre regarding the interpretation of annex 10 on civilian implementation of the Peace Agreement;

5. *Takes note* of the decision of the Steering Board of 19 June 2007 that the Office of the High Representative will remain in place and continue to carry out its mandate and that the aim is closure of the Office of the High Representative by 30 June 2008;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 5713th meeting.

B. Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)[136]

Decisions

On 16 August 2006, the President of the Security Council addressed the following letter to the Secretary-General:[137]

> "I have the honour to inform you that your letter dated 14 August 2006 concerning your intention to appoint Mr. Joachim Rücker, of Germany, as your Special Representative

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[134] See S/1999/139, appendix.

[135] See S/2000/586, annex.

[136] Resolutions or decisions on this question have been adopted by the Security Council every year since 1999.

[137] S/2006/657.

for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo[138] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5522nd meeting, on 13 September 2006, the Council decided to invite the representatives of Albania, Finland, Serbia (President of the Coordination Centre of the Republic of Serbia for Kosovo and Metohija) and Ukraine to participate, without vote, in the discussion of the item entitled:

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

"Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2006/707)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Joachim Rücker, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

At its 5531st meeting, held in private on 22 September 2006, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5531st meeting, held in private on 22 September 2006, the Security Council considered the item entitled 'Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)'.

"The President, with the consent of the Council, invited the representatives of Albania, Finland, Germany, Italy and Serbia to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"Members of the Council and Mr. Boris Tadić, President of the Republic of Serbia, had an exchange of views."

At its 5588th meeting, on 13 December 2006, the Council decided to invite the representatives of Albania, Finland, Serbia (President of the Coordination Centre of the Republic of Serbia for Kosovo and Metohija) and Ukraine to participate, without vote, in the discussion of the item entitled:

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

"Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2006/906)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Joachim Rücker, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

At its 5640th meeting, held in private on 19 March 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5640th meeting, held in private on 19 March 2007, the Security Council considered the item entitled 'Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)'.

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[138] S/2006/656.

"The President, with the consent of the Council, invited the representatives of Albania, Germany and Serbia to participate in the consideration of the item, without the right to vote in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Joachim Rücker, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

"Members of the Council and Ms. Sanda Rašković-Ivić, President of the Coordination Centre of the Republic of Serbia for Kosovo and Metohija, had an exchange of views."

At its 5654th meeting, held in private on 3 April 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5654th meeting, held in private on 3 April 2007, the Security Council considered the item entitled 'Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)'.

"The President, with the consent of the Council, invited the representatives of Germany and Serbia to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Martti Ahtisaari, Special Envoy of the Secretary-General for the future status process of Kosovo.

"In accordance with the understanding reached in the Council's prior consultations, the President with the consent of the Council, also extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Joachim Rücker, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

"Members of the Council heard a briefing by Mr. Ahtisaari.

"Mr. Vojislav Koštunica, Prime Minister of the Republic of Serbia, made a statement.

"Members of the Council heard a statement by Mr. Rücker, speaking in part on behalf of Mr. Fatmir Sejdiu."

On 19 April 2007, the President of the Security Council addressed the following letter to the Secretary-General:[139]

"I have the honour to inform you that the members of the Security Council have decided to send a mission on the Kosovo issue from 25 to 28 April 2007. The mission will be led by Mr. Johan Verbeke, Permanent Representative of Belgium to the United Nations. The members of the Council have agreed on the terms of reference of the mission, which are annexed hereto.

"The members of the Council have agreed that the composition of the mission is as follows:

"Belgium (Mr. Johan Verbeke, head of mission)

"China (Mr. Li Junhua)

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[139] S/2007/220.

"Congo (Mr. Basile Ikouebe)

"France (Mr. Jean-Marc de La Sablière)

"Ghana (Mr. Leslie Christian)

"Indonesia (Mr. Hasan Kleib)

"Italy (Mr. Marcello Spatafora)

"Panama (Mr. Ricardo Alberto Arias)

"Peru (Mr. Luis Enrique Chávez)

"Qatar (Mr. Mutlaq Majed Al-Qahtani)

"Russian Federation (Mr. Vitaly Churkin)

"Slovakia (Mr. Peter Burian)

"South Africa (Mr. Dumisani Kumalo)

"United Kingdom of Great Britain and Northern Ireland (Ms. Karen Pierce)

"United States of America (Mr. Zalmay Khalilzad)

"I should be grateful if you could have the present letter and its annex circulated as a document of the Security Council.

"Annex

"Security Council mission on the Kosovo issue

"The year 2007 emerges as a significant one for Kosovo. In the light of the recent submission of the Special Envoy's set of proposals to the Security Council,[140] the Council has decided to give its members the opportunity to inform themselves of the situation on the ground by sending a Council mission to Belgrade and Kosovo from 25 to 28 April 2007. The mission will also visit Brussels and Vienna. A balanced programme and comprehensive schedule of meetings will provide the Council members with a first-hand understanding of progress made since the Council adopted resolution 1244 (1999). It will allow the Council to have an informed understanding of the political, social and economic situation in Kosovo. Earlier Council missions took place in April 2000, June 2001 and December 2002.

"The mission has the following objectives:

"(*a*) To obtain first-hand information on progress made in Kosovo since the adoption of Council resolution 1244 (1999), including on the implementation of the agreed standards;

"(*b*) To receive information directly from the leadership of Serbia and the Provisional Institutions of Self-Government of Kosovo and from representatives of Kosovo's ethnic minority communities on the current political, social and economic situation in Kosovo, as well as on the regional situation;

"(*c*) To receive information directly from representatives of the international community, in Brussels and on the ground, on the current political, social and economic situation in Kosovo, as well as on the regional situation.

"The mission will report its conclusions to the Council."

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[140] See S/2007/168/Add.1 and 2.

THE SITUATION IN GEORGIA[141]

Decision

At its 5549th meeting, on 13 October 2006, the Security Council decided to invite the representatives of Georgia and Germany to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

"Report of the Secretary-General on the situation in Abkhazia, Georgia (S/2006/771)".

Resolution 1716 (2006)
of 13 October 2006

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1666 (2006) of 31 March 2006,

Welcoming the report of the Secretary-General of 28 September 2006 on the activities of the United Nations Observer Mission in Georgia,[142]

Supporting the sustained efforts of the Secretary-General and of his Special Representative for Georgia, with the assistance of the Russian Federation in its capacity as facilitator, as well as of the Group of Friends of the Secretary-General on Georgia and of the Organization for Security and Cooperation in Europe,

Regretting the continued lack of progress on key issues of a comprehensive settlement of the Georgian-Abkhaz conflict,

Acknowledging with concern the observation of the Secretary-General that a new and tense situation has emerged between the Georgian and the Abkhaz sides, in particular as a result of the Georgian special operation in the upper Kodori Valley,

1. *Reaffirms* the commitment of all Member States to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders, and supports all efforts by the United Nations and the Group of Friends of the Secretary-General on Georgia which are guided by their determination to promote a settlement of the Georgian-Abkhaz conflict only by peaceful means and within the framework of the Security Council resolutions;

2. *Recalls*, with a view to achieving a lasting and comprehensive settlement, its support for the principles contained in the paper on "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi", and welcomes additional ideas that the sides would be willing to offer with a view to conducting creatively and constructively a political dialogue under the aegis of the United Nations;

3. *Having in mind* the relevant Council resolutions containing an appeal to both sides to refrain from any action that might impede the peace process, expresses its concern with regard to the actions of the Georgian side in the Kodori Valley in July 2006, and to all violations of the Agreement on a Ceasefire and Separation of Forces signed at Moscow on 14 May 1994,[143] and other Georgian-Abkhaz agreements concerning the Kodori Valley;

4. *Urges* the Georgian side to ensure that the situation in the upper Kodori Valley is in line with the Moscow Agreement and that no troops unauthorized by the Agreement are present;

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[141] Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.

[142] S/2006/771.

[143] S/1994/583 and Corr.1, annex I.

5. *Notes with satisfaction* the resumption of joint patrols in the upper Kodori Valley by the United Nations Observer Mission in Georgia and the peacekeeping force of the Commonwealth of Independent States, and reaffirms that such joint patrols should be conducted on a regular basis;

6. *Urges* both parties to comply fully with previous agreements and understandings regarding ceasefire, non-use of violence and confidence-building measures, and stresses the need to strictly observe the Moscow Agreement in the air, on the sea and on land, including in the Kodori Valley;

7. *Acknowledges* the important role of the peacekeeping force of the Commonwealth of Independent States and of the Mission in the Georgian-Abkhaz conflict zone, stresses the importance of close and effective cooperation between the Mission and the peacekeeping force as they currently play a stabilizing role in the conflict zone, looks to all sides to continue to extend the necessary cooperation to them, and recalls that a lasting and comprehensive settlement of the conflict will require appropriate security guarantees;

8. *Once again urges* the Georgian side to address seriously legitimate Abkhaz security concerns, to avoid steps which could be seen as threatening and to refrain from militant rhetoric and provocative actions, especially in the upper Kodori Valley;

9. *Urges* the Abkhaz leadership to address seriously the need for a dignified return of internally displaced persons and refugees, including their security and human rights concerns, to publicly reassure the local population, particularly in the Gali district, that their residency rights and identity will be respected, and to move without delay on implementing past commitments relating to United Nations police advisers, a United Nations human rights sub-office and the language of instruction;

10. *Urges* both parties to finalize without delay the package of documents on the non-use of violence and on the return of refugees and internally displaced persons for the Gali district and to undertake necessary steps to secure the protection and dignity of the civilian population, including the returnees;

11. *Commends* the presentation by both sides of ideas as a basis for dialogue, and calls upon the two sides to resume this dialogue by using all existing mechanisms as described in the relevant Council resolutions in order to come to a peaceful settlement;

12. *Calls upon* both parties to follow up on their expressed readiness for a meeting of their highest authorities without preconditions and to maintain open channels of communication to build confidence, and encourages further contacts between representatives of civil society;

13. *Calls upon* the Secretary-General to explore with the sides ways and means to build confidence, in particular by improving the welfare and security of the inhabitants of Gali and Zugdidi districts;

14. *Supports* all efforts by the Georgian and Abkhaz sides to engage constructively in economic cooperation as envisaged in the Geneva meetings and complemented by the working groups established in Sochi, Russian Federation, in March 2003, including, security conditions permitting, the rehabilitation of infrastructure, and welcomes the intention expressed by Germany to host a meeting on economic cooperation and confidence-building measures, pending progress in the conflict resolution process;

15. *Underlines* that it is the primary responsibility of both sides to provide appropriate security and to ensure the freedom of movement of the Mission, the peacekeeping force of the Commonwealth of Independent States and other international personnel, and calls upon both sides to fulfil their obligations in this regard;

16. *Welcomes* the efforts being undertaken by the Mission to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue

to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

17. *Decides* to extend the mandate of the Mission for a new period terminating on 15 April 2007;

18. *Requests* the Secretary-General to include detailed information on developments in the Kodori Valley and on the progress on efforts for the return of refugees and internally displaced persons, particularly to the Gali district, in his next report on the situation in Abkhazia, Georgia;

19. *Strongly supports* the efforts of the Special Representative of the Secretary-General for Georgia, and calls upon the Group of Friends of the Secretary-General to continue giving him their steadfast and unified support;

20. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5549th meeting.

Decisions

At its 5623rd meeting, held in private on 24 January 2007, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5623rd meeting, held in private on 24 January 2007, the Security Council considered the item entitled 'The situation in Georgia'.
>
> "The President, with the consent of the Council, invited the representative of Germany to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Jean Arnault, Special Representative of the Secretary-General for Georgia and Head of the United Nations Observer Mission in Georgia.
>
> "The members of the Council heard a briefing by Mr. Arnault."

At its 5658th meeting, held in private on 10 April 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5658th meeting, held in private on 10 April 2007, the Security Council considered the item entitled 'The situation in Georgia'.
>
> "The President, with the consent of the Council, invited the representatives of Georgia and Germany to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Jean Arnault, Special Representative of the Secretary-General for Georgia and Head of the United Nations Observer Mission in Georgia.
>
> "The members of the Council heard a briefing by Mr. Arnault.
>
> "The members of the Council heard a statement by Mr. Zurab Noghaideli, Prime Minister of Georgia."

At its 5661st meeting, on 13 April 2007, the Council decided to invite the representatives of Georgia and Germany to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

"Report of the Secretary-General on the situation in Abkhazia, Georgia (S/2007/182)".

Resolution 1752 (2007)
of 13 April 2007

The Security Council,

Recalling all its relevant resolutions, including resolution 1716 (2006) of 13 October 2006,

Welcoming the reports of the Secretary-General of 11 January[144] and 3 April 2007[145] on the activities of the United Nations Observer Mission in Georgia,

Supporting the sustained efforts of the Secretary-General and of his Special Representative for Georgia, with the assistance of the Group of Friends of the Secretary-General on Georgia, as well as the Russian Federation in its capacity as facilitator, and of the Organization for Security and Cooperation in Europe,

Stressing the importance of close and effective cooperation between the Mission and the peacekeeping force of the Commonwealth of Independent States as they currently play an important stabilizing role in the conflict zone, and recalling that a lasting and comprehensive settlement of the conflict will require appropriate security guarantees,

Stressing also that economic development is urgently required in Abkhazia, Georgia, to improve the livelihoods of the communities affected by the conflict, in particular the refugees and internally displaced persons,

1. *Reaffirms* the commitment of all Member States to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders, and supports all efforts of the United Nations and the Group of Friends of the Secretary-General on Georgia which are guided by their determination to promote a settlement of the Georgian-Abkhaz conflict only by peaceful means and within the framework of the Security Council resolutions;

2. *Calls upon* both sides to resume dialogue, to make full use of all existing mechanisms as described in the relevant Council resolutions, to comply fully with previous agreements regarding ceasefire and the non-use of violence, and to finalize without delay the package of documents on the non-use of violence and on the return of refugees and internally displaced persons;

3. *Recalls*, with a view to achieving a lasting and comprehensive settlement, its support for the principles contained in the paper on "Basic Principles for the Distribution of Competencies between Tbilisi and Sukhumi", and welcomes additional ideas that the sides would be willing to offer with a view to conducting creatively and constructively a political dialogue under the aegis of the United Nations;

4. *Endorses* the proposals for confidence-building measures presented by the Group of Friends of the Secretary-General during the meeting held in Geneva on 12 and 13 February 2007 with the participation of the Georgian and Abkhaz parties, and urges both parties, with the assistance of the United Nations Observer Mission in Georgia and of international partners and the support of the Group of Friends to immediately engage in implementing those measures without conditions;

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[144] S/2007/15.

[145] S/2007/182.

5. *Welcomes* progress achieved by both sides towards the implementation of resolution 1716 (2006), calls upon the Georgian side to ensure that the situation in the upper Kodori Valley is in line with the Agreement on a Ceasefire and Separation of Forces signed at Moscow on 14 May 1994,[143] and calls upon the Abkhaz side to exercise restraint in connection with the Georgian commitments with regard to the Kodori Valley;

6. *Condemns* the attack on villages in the upper Kodori Valley carried out in the night of 11/12 March 2007, and urges all sides to extend full support to the ongoing investigation conducted by the Joint Fact-Finding Group under the leadership of the Mission;

7. *Stresses* that the situation on the ground in the areas of security, return of internally displaced persons and rehabilitation and development must be improved, and calls upon both sides to resume dialogue without preconditions in these areas, using all existing mechanisms, including Quadripartite meetings;

8. *Urges* the sides to address seriously each other's legitimate security concerns, to refrain from any actions which might impede the peace process, and to extend the necessary cooperation to the Mission and the peacekeeping force of the Commonwealth of Independent States;

9. *Stresses* the urgent need to alleviate the plight of refugees and internally displaced persons and the need for a perspective of life in security and dignity, in particular for a new generation growing up outside Abkhazia, Georgia, and, recalling the right of return for all internally displaced persons to Abkhazia, Georgia, calls upon both sides to implement the Office of the United Nations High Commissioner for Refugees' "Strategic Directions" for the return in the first instance to the Gali region;

10. *Welcomes* existing contacts, and encourages further contacts, between representatives of civil society of the sides;

11. *Underlines* that it is the primary responsibility of both sides to provide appropriate security and to ensure the freedom of movement of the Mission, the peacekeeping force of the Commonwealth of Independent States and other international personnel, and calls upon both sides to fulfil their obligations in this regard;

12. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance of all Mission personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to ensure that acts involving their personnel are properly investigated and punished;

13. *Decides* to extend the mandate of the Mission for a new period terminating on 15 October 2007;

14. *Requests* the Secretary-General to make use of this extended mandate in order to support the parties in implementing measures to build confidence and to establish an intensive and meaningful dialogue, and to inform the Council in his next report on the situation in Abkhazia, Georgia, on progress made in this respect;

15. *Strongly supports* the efforts of the Special Representative of the Secretary-General for Georgia, and calls upon the Group of Friends of the Secretary-General to continue giving him their steadfast and unified support;

16. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5661st meeting.

Decision

At its 5724th meeting, held in private on 26 July 2007, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5724th meeting, held in private on 26 July 2007, the Security Council considered the item entitled 'The situation in Georgia'.

"The President, with the consent of the Council, invited the representatives of Georgia and Germany to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"The members of the Council heard a briefing by Mr. Annabi.

"The members of the Council heard a statement by Mr. Irakli Alasania, Permanent Representative of Georgia to the United Nations.

"Members of the Council, Mr. Annabi and Mr. Alasania had an exchange of views."

THE SITUATION CONCERNING RWANDA[146]

Decision

At its 5650th meeting, on 28 March 2007, the Security Council decided to invite the representative of Rwanda to participate, without vote, in the discussion of the item entitled "The situation concerning Rwanda".

Resolution 1749 (2007)
of 28 March 2007

The Security Council,

Recalling its resolutions 918 (1994) of 17 May 1994, 1005 (1995) of 17 July 1995, 1011 (1995) of 16 August 1995, 1013 (1995) of 7 September 1995, 1053 (1996) of 23 April 1996 and 1161 (1998) of 9 April 1998,

Having considered the report of 28 December 2006 of the Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda[147] and the oral report of 13 March 2007 of the Chairman of the Committee,

Taking note of the letter dated 2 March 2007 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council requesting the termination of the measures imposed by paragraph 11 of resolution 1011 (1995),[148]

Recalling the termination on 1 September 1996 of the restrictions imposed by paragraph 13 of resolution 918 (1994) in accordance with paragraph 8 of resolution 1011 (1995), and reaffirming the measures imposed by paragraphs 9 and 10 of resolution 1011 (1995),

Stressing the importance of the cooperation of all States, in particular those in the region, with the Security Council Committees established pursuant to resolutions 918 (1994) and 1533 (2004), and with the Group of Experts established pursuant to resolution 1533 (2004) of 12 March 2004 while carrying out its mandate as renewed by resolution 1698 (2006) of 31 July 2006,

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[146] Resolutions or decisions on this question were also adopted by the Security Council from 1993 to 1996, 1998 to 2000 and in 2005.

[147] S/2006/1049, annex.

[148] S/2007/121.

Stressing further the need for States in the region to ensure that arms and related materiel delivered to them are not diverted to or used by illegal armed groups,

Welcoming the positive developments in Rwanda and the Great Lakes region, particularly the signing of the Pact on Security, Stability and Development in the Great Lakes Region on 15 December 2006 at the second summit of the International Conference on the Great Lakes Region in Nairobi, and encouraging the signatories to ratify this pact as soon as possible and to provide for its expeditious implementation,

Reiterating its call upon the States of the region to deepen further their cooperation with a view to consolidating peace in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to terminate with immediate effect the measures imposed by paragraph 11 of resolution 1011 (1995);

2. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5650th meeting.

THE QUESTION CONCERNING HAITI[149]

Decision

At its 5513th meeting, on 15 August 2006, the Security Council decided to invite the representative of Haiti to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

> "Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2006/592)".

Resolution 1702 (2006)
of 15 August 2006

The Security Council,

Reaffirming its previous resolutions on Haiti, in particular resolutions 1542 (2004) of 30 April 2004, 1576 (2004) of 29 November 2004, 1608 (2005) of 22 June 2005 and 1658 (2006) of 14 February 2006, as well as the relevant statements by its President,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Welcoming the successful and peaceful political transition to an elected Government, as well as the election of a new President and Parliament, which will give Haiti a unique opportunity to break with the violence and political instability of the past,

Welcoming also the political agenda of the Government of Haiti on the modernization of State institutions and on wealth creation and the adoption, by the Haitian authorities, of the "Programme d'apaisement social" to respond to Haiti's immediate social needs,

Emphasizing that security, the rule of law and institutional reform, national reconciliation and sustainable economic and social development remain key to the stability of Haiti,

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[149] Resolutions or decisions on this question were also adopted by the Security Council from 1993 to 2000, in 2004, 2005 and during the period from 1 January to 31 July 2006.

Recognizing that the United Nations Stabilization Mission in Haiti constitutes a key actor in the continuing stabilization of the country, and expressing its appreciation for its efforts to continue to assist the Government of Haiti to ensure a secure and stable environment,

Reaffirming the importance of appropriate expertise on issues relating to gender in peacekeeping operations and post-conflict peacebuilding in accordance with its resolution 1325 (2000) of 31 October 2000, recalling the need to address violence against women and children, and encouraging the Mission as well as the Government of Haiti to actively address these issues,

Condemning all violations of human rights in Haiti, calling upon all Haitians to renounce violence, and recognizing, in this context, that the rule of law and respect for human rights are vital components of democratic societies,

Urging the Government of Haiti to undertake, in coordination with the international community, a comprehensive reform of the police, judiciary and correctional systems, to promote and protect human rights and fundamental freedoms and to end impunity,

Welcoming the final approval by the Government of Haiti of its Haitian National Police Reform Plan,[150] and calling upon it to implement the Plan as soon as possible,

Recognizing that conditions for conventional disarmament, demobilization and reintegration do not currently exist in Haiti and that alternative programmes are required to address local conditions and to further the goal of disarmament, demobilization and reintegration,

Underlining the need for the quick implementation of highly effective and visible labour-intensive projects that help to create jobs and deliver basic social services, and emphasizing the importance of quick-impact projects in the post-electoral phase,

Welcoming the outcomes of the ministerial donor meeting on Haiti, held in Brasilia on 23 May 2006, as well as those of the International Conference of Donors for the Social and Economic Development of Haiti, held in Port-au-Prince on 25 July 2006,

Expressing its support for the extension of the Interim Cooperation Framework until September 2007, and urging the Government of Haiti to continue to make progress in its implementation in close cooperation with all relevant international stakeholders,

Welcoming the readmittance of Haiti to the Councils of the Caribbean Community, and calling upon the Mission to continue to work closely with the Organization of American States and the Caribbean Community,

Welcoming also the appointment of a new Special Representative of the Secretary-General for Haiti with overall authority on the ground for the coordination and conduct of all the activities of the United Nations agencies, funds and programmes in Haiti,

Paying tribute to the continued support of the international community, particularly the Core Group, interested stakeholders, donors and regional organizations, for Haiti and the Mission, which remains essential to the achievement of stability and development,

Expressing its gratitude to the troops and police personnel of the Mission and to their countries,

Noting that the Haitian people and their Government hold the ultimate responsibility for achieving political stability, social and economic development and law and order,

Determining that the situation in Haiti continues to constitute a threat to international peace and security,

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[150] S/2006/726, enclosure.

Acting under Chapter VII of the Charter of the United Nations, as described in section I of paragraph 7 of resolution 1542 (2004),

1. *Decides* to extend the mandate of the United Nations Stabilization Mission in Haiti, as contained in its resolutions 1542 (2004) and 1608 (2005), until 15 February 2007, with the intention to renew for further periods;

2. *Welcomes* the report of the Secretary-General of 28 July 2006,[151] and supports the priorities set out therein;

3. *Decides* that the Mission shall consist of a military component of up to 7,200 troops of all ranks and a police component of up to 1,951 officers;

4. *Authorizes* the Mission to deploy 16 corrections officers seconded from Member States in support of the Government of Haiti to address the shortcomings of the prison system;

5. *Urges* Member States to provide enough well-qualified, particularly francophone, police candidates, to ensure full staffing of the Mission police and, in particular, to provide specific expertise in anti-gang operations, corrections and other specializations identified as necessary in the report of the Secretary-General;

6. *Urges* the Haitian authorities to complete the run-off legislative, local and municipal elections as soon as feasible, and calls upon the Mission to provide all appropriate assistance in this regard, consistent with its mandate, and with the support of regional and subregional organizations;

7. *Reaffirms its call upon* the Mission to support the constitutional and political process in Haiti, including through good offices, and to promote national dialogue and reconciliation;

8. *Welcomes* the important contribution provided by the Mission in capacity- and institution-building at all levels, and calls upon the Mission to expand its assistance to support the Government of Haiti in strengthening State institutions, especially outside Port-au-Prince;

9. *Underlines* the importance of the continuing support of the Mission for the institutional strengthening of the Haitian National Police, and in this regard requests the Haitian authorities, especially the Haitian National Police, and the Mission to achieve optimal coordination in order to counter crime and violence, particularly in urban areas, taking into account the needs expressed by the Secretary-General for specialized capacities to enhance the ability of the Mission in this field;

10. *Strongly supports*, in this regard, the intention of the Secretary-General to maximize the crime prevention role of the Mission, particularly with regard to the threat of gang violence and kidnapping;

11. *Requests* the Mission to reorient its disarmament, demobilization and reintegration efforts, to further that goal, towards a comprehensive community violence reduction programme adapted to local conditions, including assistance for initiatives to strengthen local governance and the rule of law and to provide employment opportunities to former gang members, and at-risk youth, in close coordination with the Government of Haiti and other relevant actors, including the donor community;

12. *Urges* donors engaged in supporting the implementation of the reform of the Haitian National Police by the Haitian authorities to coordinate their activities closely with the Mission;

13. *Reaffirms* the mandate of the Mission to provide operational support to the Haitian Coast Guard, and invites Member States, in coordination with the Mission, to engage with the Government of Haiti in order to address cross-border drug and arms trafficking control;

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[151] S/2006/592.

14. *Decides* that the Mission, consistent with its existing mandate under resolution 1542 (2004) to assist with the restructuring and maintenance of the rule of law, public safety and public order, shall provide assistance and advice to the Haitian authorities, in consultation with relevant actors, in monitoring, restructuring, reforming and strengthening the justice sector, including through technical assistance to review all relevant legislation, the provision of experts to serve as professional resources, the rapid identification and implementation of mechanisms to address prison overcrowding and prolonged pretrial detention and the coordination and planning of these activities, and invites the Government of Haiti to take full advantage of that assistance;

15. *Reaffirms* the human rights mandate of the Mission, and calls upon the Haitian authorities to undertake a comprehensive reform in all areas of rule of law and to promote and protect human rights and fundamental freedoms;

16. *Recognizes* the progress achieved thus far in the disbursement of pledged assistance, welcomes the pledges of donors, and notes the need for these funds to be rapidly disbursed, given that further sustained and generous international assistance will be essential for the Haitian people and their Government to succeed in pursuing its programme for social and economic development;

17. *Requests* the Mission to continue to implement quick-impact projects;

18. *Calls upon* the Mission to enhance its coordination with the United Nations country team and with the various development actors in Haiti in order to ensure greater efficiency in development efforts and to address urgent development problems;

19. *Reaffirms* the need to maintain a proactive communications and public outreach strategy to improve public understanding of the mandate and role of the Mission in Haiti and to deliver messages to the Haitian people directly;

20. *Requests* the Secretary-General to report to the Security Council on the implementation of the mandate of the Mission no later than 31 December 2006;

21. *Decides* to remain seized of the matter.

Adopted unanimously at the 5513th meeting.

Decisions

On 10 January 2007, the President of the Security Council addressed the following letter to the Secretary-General:[152]

> "I have the honour to inform you that your letter dated 8 January 2007 concerning your intention to appoint Major General Carlos Alberto dos Santos Cruz, of Brazil, as Force Commander of the United Nations Stabilization Mission in Haiti[153] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5631st meeting, on 15 February 2007, the Council decided to invite the representatives of Argentina, Brazil, Canada, Chile and Haiti to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

> "Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2006/1003)".

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[152] S/2007/12.

[153] S/2007/11.

Resolution 1743 (2007)
of 15 February 2007

The Security Council,

Reaffirming its previous resolutions on Haiti, in particular resolutions 1542 (2004) of 30 April 2004, 1576 (2004) of 29 November 2004, 1608 (2005) of 22 June 2005, 1658 (2006) of 14 February 2006 and 1702 (2006) of 15 August 2006, as well as the relevant statements by its President,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Welcoming the progress achieved in Haiti's political process, including through the successful holding of national, municipal and local elections in 2006, and reiterating its appeal to the Government of Haiti and all Haitians to continue to pursue all-inclusive political dialogue and national reconciliation in order to strengthen democratic governance,

Recognizing the interconnected nature of the challenges in Haiti, reaffirming that sustainable progress on security, the rule of law and institutional reform, national reconciliation and development are mutually reinforcing, and welcoming the continuing efforts of the Government of Haiti and the international community to address these challenges,

Recognizing also that respect for human rights, due process and addressing the issue of criminality and credible, competent and transparent governance are essential to ensuring security in Haiti,

Expressing its appreciation to the United Nations Stabilization Mission in Haiti, a key actor in the ongoing stabilization of the country, for continuing to assist the Government of Haiti to ensure a secure and stable environment, and welcoming the close collaboration that has developed in this regard,

Emphasizing the role of the regional organizations in the ongoing process of stabilization and reconstruction of Haiti, and calling upon the Mission to continue to work closely with the Organization of American States and the Caribbean Community,

Emphasizing also that a combination of measures are necessary to effectively disarm, demobilize and reintegrate gang members, and encouraging the Government of Haiti, in coordination with the international community, to accelerate efforts towards this end,

Calling upon the Government of Haiti, in coordination with the international community, to maintain momentum behind security sector reform, in particular the Haitian National Police Reform Plan,[150] as well as efforts to reform the judiciary and correctional systems, including by addressing prolonged pretrial detentions and prison overcrowding and by putting an end to impunity,

Encouraging the development by the Haitian authorities, with the support of donors and regional organizations, of permanent and effective electoral institutions,

Urging the Government of Haiti, in coordination with the international community, to establish a unified justice sector reform strategy encompassing merging of resources and joint planning,

Underlining the need for the quick implementation of highly effective and visible labour-intensive projects that help to create jobs and deliver basic social services, and emphasizing the importance of quick-impact projects in the post-electoral phase,

Acknowledging the laudable work done by the Haitian authorities and the Mission to respond to the needs of disaster-affected people, and welcoming future coordinated actions in this regard, *Expressing its gratitude* to the troops and police personnel of the Mission and to their countries, and paying tribute to those injured or killed in the line of duty,

Stressing that the Haitian people and their Government hold primary responsibility for achieving stability, social and economic development and law and order in their country, and recognizing the commitment of the Government of Haiti to its people and to international partners,

Determining that the situation in Haiti continues to constitute a threat to international peace and security in the region, despite the progress achieved thus far,

Acting under Chapter VII of the Charter of the United Nations, as described in section I of paragraph 7 of resolution 1542 (2004),

1. *Decides* to extend the mandate of the United Nations Stabilization Mission in Haiti, as contained in its resolutions 1542 (2004), 1608 (2005) and 1702 (2006), until 15 October 2007, with the intention to renew for further periods;

2. *Welcomes* the report of the Secretary-General of 19 December 2006,[154] and takes note of the recommendations contained therein;

3. *Expresses its full support* for the Special Representative of the Secretary-General for Haiti, notably in his efforts to improve the security situation in close cooperation with the Government of Haiti, and reaffirms his authority in the coordination and conduct of all activities of United Nations agencies, funds and programmes in Haiti;

4. *Recognizes* the ownership and primary responsibility of the Government of Haiti over all aspects of the country's stabilization and good governance and recognizes the role of the Mission in supporting the efforts of the Government in this regard, and encourages the Government of Haiti to continue to take full advantage of international support to enhance its capacity;

5. *Reaffirms its call upon* the Mission to support the constitutional and political process under way in Haiti, including through its good offices and, in cooperation with the Government of Haiti, to promote all-inclusive political dialogue and national reconciliation;

6. *Welcomes* the continuing contribution by the Mission to capacity- and institution-building at all levels, and calls upon the Mission, consistent with its mandate, to expand such support to strengthen State institutions, especially outside Port-au-Prince, including through the provision of specialized expertise to key ministries;

7. *Requests* that the Mission continue the increased tempo of operations in support of the Haitian National Police against armed gangs as deemed necessary to restore security, notably in Port-au-Prince, and encourages the Mission and the Government of Haiti to undertake coordinated deterrent actions to decrease the level of violence;

8. *Requests* the United Nations country team, and calls upon the humanitarian and development actors, to complement security operations undertaken by the Government of Haiti with the support of the Mission with activities aimed at effectively improving the living conditions of the concerned populations;

9. *Requests* the Mission to continue to implement quick-impact projects;

10. *Also requests*, in this context, the Mission to accelerate efforts to reorient its disarmament, demobilization and reintegration resources towards a comprehensive community violence reduction programme as decided in resolution 1702 (2006), in close coordination with the Government of Haiti and other relevant actors;

11. *Deplores and condemns in the strongest terms* any attack against personnel from the Mission, and demands that no acts of intimidation or violence be directed against United Nations

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[154] S/2006/1003.

and associated personnel and other international and humanitarian organizations engaged in humanitarian, development or peacekeeping work;

12. *Reaffirms* the mandate of the Mission to provide operational support to the Haitian Coast Guard, and invites Member States, in coordination with the Mission, to engage with the Government of Haiti to address cross-border illicit trafficking in drugs and arms, and other illegal activities;

13. *Welcomes* progress in the implementation of the Haitian National Police Reform Plan,[150] and requests the Mission to remain engaged in assisting the Government of Haiti to reform and restructure the Haitian National Police, consistent with its mandate, including by increasing momentum behind the monitoring, mentoring, training and vetting of all police personnel and the strengthening of institutional capacities;

14. *Requests* the Mission to provide necessary support for the efforts of the Haitian authorities to reform the key elements of the justice and corrections sectors, closely synchronized with the plan for the reform and restructuring of the Haitian National Police, consistent with its mandate under resolution 1542 (2004) and as further decided in resolution 1702 (2006), and encourages the Government of Haiti to take full advantage of that support;

15. *Reaffirms* the human rights mandate of the Mission, and calls upon the Haitian authorities to continue their efforts to promote and protect human rights;

16. *Welcomes* the policy of the Mission to promote and protect the rights of women and to take into account gender considerations as set out in Security Council resolution 1325 (2000) of 31 October 2000 as a cross-cutting issue throughout its mandate and keep the Council informed;

17. *Strongly condemns* the grave violations against children affected by armed violence, as well as widespread rape and other sexual abuse of girls;

18. *Underlines* the importance of continued assistance to help to address the basic needs of Haiti's population, and in that regard takes note with appreciation of the Joint Communiqué of the International Conference for the Economic and Social Development of Haiti, held in Madrid on 30 November 2006, and encourages donors to accelerate the disbursement of their pledges as a contribution to development and stability in Haiti;

19. *Calls upon* the Mission to continue its efforts to enhance its coordination with the United Nations country team and the various development actors in Haiti in order to ensure greater efficiency in development efforts and to address urgent development problems;

20. *Calls upon* the United Nations system and the international community, in particular donor countries, in cooperation with the Haitian authorities, to devise and support a renewed aid coordination system, which would focus on immediate needs as well as on long-term reconstruction and poverty reduction;

21. *Requests* the Mission to maintain a proactive communications and public outreach strategy to improve public understanding of the mandate and the role of the Mission in Haiti;

22. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance of all Mission personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to ensure that acts involving their personnel are properly investigated and punished;

23. *Also requests* the Secretary-General to report to the Council on the implementation of the mandate of the Mission semi-annually but no later than forty-five days prior to its expiration, and to include in his report a comprehensive assessment of the security risks, challenges and priorities facing Haiti, including specific recommendations on how to accelerate the peacebuilding process, build institutional capacity in the security and justice sectors and achieve disarmament, demobilization and reintegration in Haiti;

24. *Decides* to remain seized of the matter.

Adopted unanimously at the 5631st meeting.

Decision

On 30 July 2007, the President of the Security Council addressed the following letter to the Secretary-General:[155]

> "I have the honour to inform you that your letter dated 26 July 2007 concerning your intention to appoint Mr. Hédi Annabi, of Tunisia, as your Special Representative for Haiti and Head of the United Nations Stabilization Mission in Haiti[156] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

THE SITUATION IN TAJIKISTAN AND ALONG THE TAJIK-AFGHAN BORDER[157]

Decisions

On 15 May 2007, the President of the Security Council addressed the following letter to the Secretary-General:[158]

> "I have the honour to inform you that your letter dated 7 May 2007 concerning your intention to establish a United Nations Regional Centre for Preventive Diplomacy in Ashgabat[159] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter and the intention expressed therein, and invite you to inform them about the activities of the newly established Centre and its impact on the ground. They would welcome receiving such a report, for example, six months after the Centre becomes fully operational."

On 18 May 2007, the President of the Security Council addressed the following letter to the Secretary-General:[160]

> "I have the honour to inform you that your letter dated 15 May 2007 concerning your intention to phase down and close the United Nations Tajikistan Office of Peacebuilding and, in response to the request of the Government of Tajikistan, to continue the activities of the Office for a further period of two months, until 31 July 2007,[161] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter and the intention expressed therein."

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[155] S/2007/467.

[156] S/2007/466.

[157] Resolutions or decisions on this question have been adopted by the Security Council every year since 1993.

[158] S/2007/280.

[159] S/2007/279.

[160] S/2007/297.

[161] S/2007/296.

THE SITUATION IN BURUNDI[162]

Decision

At its 5554th meeting, on 25 October 2006, the Security Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

> "Seventh report of the Secretary-General on the United Nations Operation in Burundi (S/2006/429 and Add.1)".

Resolution 1719 (2006)
of 25 October 2006

The Security Council,

Recalling its resolutions and the statements by its President on Burundi, in particular resolutions 1545 (2004) of 21 May 2004, 1577 (2004) of 1 December 2004, 1602 (2005) of 31 May 2005, 1606 (2005) of 20 June 2005, 1650 (2005) of 21 December 2005 and 1692 (2006) of 30 June 2006,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Burundi, and emphasizing the importance of national ownership by Burundi of peacebuilding, security and long-term development,

Congratulating again the people of Burundi on the successful conclusion of the transitional period and the peaceful transfer of authority to a representative and democratically elected Government and institutions,

Welcoming the signing, on 7 September 2006 at Dar-es-Salaam, United Republic of Tanzania, of the Comprehensive Ceasefire Agreement between the Government of Burundi and the Parti pour la libération du peuple hutu-Forces nationales de libération,

Paying tribute to the efforts made by the States of the Regional Peace Initiative on Burundi, in particular Uganda and the United Republic of Tanzania, and the facilitation efforts of South Africa in the service of peace in Burundi, welcoming the continued commitment and engagement of these States, and recalling the role played by the Burundi Partners' Forum established at the summit meeting on Burundi, held in New York on 13 September 2005,

Taking note with concern of reports of a possible attempt to perpetrate a coup d'état in Burundi and of the subsequent arrest of a number of political figures,

Reaffirming its support for legitimately elected institutions, and stressing that any attempt to seize power by force or derail the democratic process would be deemed unacceptable,

Calling upon the authorities and all political actors in Burundi to persevere in their dialogue on achieving stability and national reconciliation and to promote social harmony in their country, and underscoring the importance of successfully completing the reforms provided for in the Peace and Reconciliation Agreement for Burundi, signed at Arusha, United Republic of Tanzania, on 28 August 2000, in the Global Ceasefire Agreement signed at Dar-es-Salaam on 16 November 2003 and in the Comprehensive Ceasefire Agreement signed at Dar-es-Salaam on 7 September 2006,

Calling upon the authorities to persevere in their efforts to promote good governance, including through continued measures to combat corruption,

Emphasizing the need for the United Nations system and the international community to maintain their support for the security and long-term development of Burundi, inter alia, by strengthening the capacity of the Government of Burundi,

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[162] Resolutions or decisions on this question have been adopted by the Security Council every year since 1993.

Expressing once again its gratitude to the United Nations Operation in Burundi, as well as to the African Mission in Burundi previously deployed by the African Union, for their important contribution to the successful completion of the transition process in Burundi and to peace in the region,

Welcoming the holding on 13 October 2006 of the first country-specific meeting of the Peacebuilding Commission on Burundi, and taking note of the Chairman's summary of that meeting,[163]

Having considered the seventh report of the Secretary-General on the United Nations Operation in Burundi, of 21 June 2006,[164] and the addendum thereto, of 14 August 2006,[165] and welcoming his recommendation on the establishment of a United Nations integrated office in Burundi following the withdrawal of the United Nations Operation in Burundi, with a view to providing continued peacebuilding assistance to the Government of Burundi by strengthening national capacity to address the root causes of conflict,

Underscoring the need for a smooth transition from the United Nations Operation in Burundi to the United Nations integrated office in Burundi and to ensure the proper functioning of that entity,

1. *Requests* the Secretary-General to establish the United Nations Integrated Office in Burundi as recommended in the addendum to his report, of 14 August 2006,[165] for an initial period of twelve months, commencing on 1 January 2007, to support the Government of Burundi in its effort towards long-term peace and stability throughout the peace consolidation phase in Burundi, including by ensuring coherence and coordination of the United Nations agencies in Burundi, under the leadership of the Executive Representative of the Secretary-General for Burundi;

2. *Requests* that, once established, the United Nations Integrated Office in Burundi focus on and support the Government of Burundi in the following areas, in coordination with donors and taking account of the agreement concluded on 24 May 2006 by the Government and the Secretary-General and the role of the Peacebuilding Commission:

Peace consolidation and democratic governance

(*a*) Strengthening the capacity of national institutions and civil society to address the root causes of conflict and to prevent, manage and resolve internal conflicts, particularly through reforms in the political and administrative spheres;

(*b*) Strengthening good governance and the transparency and accountability of public institutions;

(*c*) Promotion of freedom of the press and strengthening the legal and regulatory framework for the media and communications, and enhancing the professionalization of the media;

(*d*) Consolidation of the rule of law, in particular by strengthening the justice and corrections system, including independence and capacity of the judiciary;

Disarmament, demobilization and reintegration and reform of the security sector

(*e*) Support for the implementation of the Comprehensive Ceasefire Agreement signed at Dar-es-Salaam on 7 September 2006;

(*f*) Support for the development of a national plan for reform of the security sector, including human rights training, and the provision of technical assistance for its implementation, including training and capacity-building for the Burundi National Police, and technical assistance to enhance the professionalization of the National Defence Force of Burundi;

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[163] S/2006/1050, annex II.

[164] S/2006/429.

[165] S/2006/429/Add.1.

(*g*) Support for the completion of the national programme for the demobilization and reintegration of former combatants;

(*h*) Support for efforts to combat the proliferation of small arms and light weapons;

Promotion and protection of human rights and measures to end impunity

(*i*) Promotion and protection of human rights, including by building national institutional capacity in that area, particularly with regard to the rights of women, children and other vulnerable groups, by assisting with the design and implementation of a national human rights action plan, including the establishment of an independent national human rights commission;

(*j*) Support for efforts to combat impunity, particularly through the establishment of transitional justice mechanisms, including a truth and reconciliation commission and a special tribunal;

Donor and United Nations agency coordination

(*k*) Strengthening the partnership between the Government and donors for the implementation of priority, emergency and longer-term activities, within the framework of the Government's Emergency Programme and the Poverty Reduction Strategy Paper, which is being finalized;

(*l*) Strengthening the Government's capacity for donor coordination, effective communication with donors and mobilization of resources in line with the Poverty Reduction Strategy Paper, when finalized;

(*m*) Ensuring effective coordination among the strategies and programmes of the various United Nations agencies, funds and programmes in Burundi;

3. *Urges* the United Nations Integrated Office in Burundi to take account of the rights of women and gender considerations, as set out in resolution 1325 (2000) of 31 October 2000, as cross-cutting issues in all the areas outlined in paragraph 2 above, including through consultation with local and international women's groups, and requests the Secretary-General, where appropriate, to include in his reporting to the Security Council progress on gender mainstreaming throughout the Integrated Office and all other aspects relating to the situation of women and girls, especially in relation to the need to protect them from gender-based violence;

4. *Stresses* the need for cooperation, within the limits of their respective capacities and current mandates, between the United Nations Integrated Office in Burundi and the United Nations Organization Mission in the Democratic Republic of the Congo;

5. *Welcomes* the recommendation, contained in the addendum to the report of the Secretary-General, that the United Nations Integrated Office in Burundi should be headed by an Executive Representative of the Secretary-General for Burundi and that the latter should also serve as the Resident Representative of the United Nations Development Programme and as the United Nations Resident Coordinator and Humanitarian Coordinator;

6. *Takes note* of the benchmarks outlined in the addendum to the report of the Secretary-General for gauging progress made by the United Nations Integrated Office in Burundi during its mandate, in particular as they relate to the priorities mentioned in paragraph 2 above, and of the proposed time frame for the eventual transition to a primarily development-focused engagement, and reaffirms its willingness to adjust, as appropriate, the United Nations presence in Burundi during the peace consolidation phase, taking all circumstances into account;

7. *Emphasizes* that the Government of Burundi bears the primary responsibility for peacebuilding, security and long-term development in the country, and urges international donors to continue to support the efforts of the Government in those areas;

8. *Urges* the authorities and all political actors in Burundi to pursue the reforms agreed upon at Arusha and Dar-es-Salaam and to maintain the spirit of dialogue, consensus-building and inclusiveness that enabled them to achieve a successful transition in their country;

9. *Encourages* the Burundian authorities to continue to cooperate with the Secretary-General, including for the establishment of the mechanisms referred to in resolution 1606 (2005);

10. *Calls upon* the Burundian authorities, in their investigations into the alleged attempt to perpetrate a coup d'état, to follow due process and to respect the guarantees provided for by law and international obligations;

11. *Expresses its deep concern* at reports of continuing human rights violations, and urges the Government of Burundi to investigate all such reports, take the necessary steps to prevent further violations and ensure that those responsible for such violations are brought to justice;

12. *Calls upon* the Government of Burundi and the Parti pour la libération du peuple hutu-Forces nationales de libération to expeditiously implement in good faith the Comprehensive Ceasefire Agreement which they signed at Dar-es-Salaam on 7 September 2006 and to pursue their efforts to resolve outstanding issues in a spirit of cooperation;

13. *Encourages* the States of the Regional Peace Initiative on Burundi and the South African Facilitation to continue to work with the Burundian authorities to consolidate peace in their country and in the region;

14. *Requests* the Secretary-General to keep the Council regularly informed of the progress made in establishing the United Nations Integrated Office in Burundi and, subsequently, to report regularly to the Council on the implementation of the present resolution, including with respect to the security situation and the human rights situation;

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5554th meeting.

Decisions

On 6 November 2006, the President of the Security Council addressed the following letter to the Secretary-General:[166]

> "I have the honour to inform you that your letter dated 1 November 2006 concerning your intention to extend the deployment of the remaining two infantry battalions and supporting military units of the United Nations Operation in Burundi for a few weeks, until 31 December 2006,[167] has been brought to the attention of the members of the Security Council. They take note of the information and intention contained in your letter."

On 22 December 2006, the President of the Security Council addressed the following letter to the Secretary-General:[168]

> "I have the honour to inform you that your letter dated 18 December 2006 concerning your intention to appoint your Deputy Special Representative for Burundi, Mr. Youssef Mahmoud, of Tunisia, as your Executive Representative for Burundi and Head of the United Nations Integrated Office in Burundi[169] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[166] S/2006/867.

[167] S/2006/866.

[168] S/2006/1021.

[169] S/2006/1020.

On 27 December 2006, the President of the Security Council addressed the following letter to the Secretary-General:[170]

> "I have the honour to inform you that your letter dated 22 December 2006 concerning your intention to respond positively to the request for limited logistical assistance to the African Union Special Task Force and to seek the approval of the General Assembly for the arrangements relating to the above request[171] has been brought to the attention of the members of the Security Council. They take note of the information and intention contained in your letter."

At its 5678th meeting, held in private on 21 May 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5678th meeting, held in private on 21 May 2007, the Security Council considered the item entitled 'The situation in Burundi'.
>
> "The President, with the consent of the Council, invited the representatives of Burundi and Norway to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Youssef Mahmoud, Executive Representative of the Secretary-General for Burundi.
>
> "The Council heard a briefing by the representative of Norway, Vice-Chair of the Organizational Committee of the Peacebuilding Commission.
>
> "The representative of Burundi made a statement."

At its 5686th meeting, on 30 May 2007, the Council considered the item entitled:

"The situation in Burundi

> "First report of the Secretary-General on the United Nations Integrated Office in Burundi (S/2007/287)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[172]

> "The Security Council welcomes the recent political developments in Burundi whereby the Government of Burundi has taken a number of corrective steps aimed at promoting dialogue, national reconciliation and social harmony. It also takes note with appreciation of the measures taken to improve economic governance and the transparency and accountability of public institutions. It encourages the authorities to remain committed to pursuing these measures and to completing the reforms agreed upon in the agreements reached in Arusha in 2000, in Pretoria in 2003 and in Dar-es-Salaam in 2006, and calls upon all Burundian political stakeholders to maintain the spirit of dialogue, consensus-building and inclusiveness, including in addressing the issue of power-sharing in an equitable manner, that enabled them to achieve a successful transition in their country.
>
> "The Council welcomes the establishment of the United Nations Integrated Office in Burundi and the support it provides to the peace consolidation process.

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[170] S/2006/1031.

[171] S/2006/1030.

[172] S/PRST/2007/16.

"The Council commends the efforts undertaken by the African Union Special Task Force and the South African Facilitation in support of the Comprehensive Ceasefire Agreement signed at Dar-es-Salaam on 7 September 2006. The Council calls upon both parties to pursue their efforts to resolve outstanding issues in a spirit of cooperation. It welcomes the resumption of the work of the Joint Verification Monitoring Mechanism on 28 May 2007 in order to address and remove the obstacles to the implementation of the Agreement. It encourages, in particular, the Government of Burundi to remain committed to finding a political solution to the current deadlock, and urges the Parti pour la libération du peuple hutu-Forces Nationales de Libération to fulfil expeditiously its obligations under the Agreement. It also invites the United Nations Integrated Office in Burundi and the African Union to continue to support these efforts.

"The Council urges the Government of Burundi to intensify its efforts on all aspects of reform of the security sector and to address the issue of human rights abuses committed by members of the security services, including by bringing perpetrators to justice, and encourages international partners, including the United Nations Integrated Office in Burundi in accordance with its mandate, to increase their support for this endeavour.

"The Council urges the Government of Burundi to step up its efforts to combat impunity and to promote and protect human rights, paying particular attention in this context to reducing the high level of gender-based violence and violence against children. It encourages the Secretary-General and the Burundian authorities to pursue their dialogue with a view to agreeing on the establishment of a transitional justice mechanism based on the highest standards of justice and international human rights.

"The Council recalls the conclusions of its Working Group on Children and Armed Conflict pertaining to parties to the situation of armed conflict in Burundi,[173] and calls upon the Government of Burundi and all parties, as well as United Nations agencies and donor Governments to cooperate with the Working Group with a view to following up on those conclusions.

"The Council welcomes the briefing by the Chair of the Organizational Committee of the Peacebuilding Commission on its activities relating to Burundi and, in this context, encourages the Government of Burundi and the United Nations Integrated Office in Burundi to work closely with all stakeholders in order to devise a sound strategic framework to foster the commitment of the Government and all its partners to the priorities for consolidating peace in Burundi. The Council stresses the need to ensure broad national ownership of the Strategic Framework, and looks forward to receiving further advice on Burundi from the Peacebuilding Commission, particularly on those issues covered by the Strategic Framework. It welcomes the outcome of the round table convened by the Government in Bujumbura on 24 and 25 May 2007 with the support of the United Nations, and urges donors to disburse the funds pledged at that occasion.

"The Council welcomes the revival of the Economic Community of the Great Lakes Countries, the Great Lakes Conference process and the upcoming formal accession of Burundi to the East African Community. It also welcomes the commitment of the Government of Burundi to the ratification of the Pact on Security, Stability and Development in the Great Lakes Region at the next parliamentary session. It encourages Burundi and all countries in the region to sustain their efforts to foster peace, stability and mutually beneficial development."

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[173] S/2007/92, annex.

THE SITUATION IN AFGHANISTAN[174]

Decision

At its 5521st meeting, on 12 September 2006, the Security Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

Resolution 1707 (2006)
of 12 September 2006

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular resolutions 1386 (2001) of 20 December 2001, 1413 (2002) of 23 May 2002, 1444 (2002) of 27 November 2002, 1510 (2003) of 13 October 2003, 1563 (2004) of 17 September 2004, 1623 (2005) of 13 September 2005 and 1659 (2006) of 15 February 2006,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Reaffirming its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001, and reiterating its support for international efforts to root out terrorism in accordance with the Charter of the United Nations,

Recognizing that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves, and welcoming the cooperation of the Government of Afghanistan with the International Security Assistance Force,

Recognizing once again the interconnected nature of the challenges in Afghanistan, reaffirming that sustainable progress on security, governance and development, as well as on the cross-cutting issue of counter-narcotics, is mutually reinforcing, and welcoming the continuing efforts of the Government of Afghanistan and the international community to address these challenges,

Stressing, in this regard, the importance of the Afghanistan Compact and the annexes thereto, launched at the London Conference on Afghanistan on 31 January 2006,[175] which provide the framework for the partnership between the Government of Afghanistan and the international community,

Expressing its concern about the security situation in Afghanistan, in particular the increased violent and terrorist activity by the Taliban, Al-Qaida, illegal armed groups and those involved in the narcotics trade, which has resulted in increased Afghan civilian casualties,

Reiterating its call upon all Afghan parties and groups to engage constructively in the peaceful political development of the country and to avoid resorting to violence, including through the use of illegal armed groups,

Stressing, in this context, the importance of the security sector reform, including further strengthening of the Afghan National Army and Police, disbandment of illegal armed groups, justice sector reform and counter-narcotics,

Expressing in this context its support for the Afghan security forces, with the assistance of the International Security Assistance Force and the Operation Enduring Freedom coalition, in contributing to security in Afghanistan and in building the capacity of the Afghan security forces, and welcoming the extension of the Force into southern Afghanistan, with effect from 31 July 2006, the planned further expansion of the Force into eastern Afghanistan and the increased coordination between the Force and the coalition,

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[174] Resolutions or decisions on this question were also adopted by the Security Council in 1994, 1996 to 2005 and during the period from 1 January to 31 July 2006.

[175] S/2006/90, annex.

Expressing its appreciation to the United Kingdom of Great Britain and Northern Ireland for taking over the lead from Italy in commanding the Force, and recognizing with gratitude the contributions of the North Atlantic Treaty Organization and many nations to the Force,

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the Force, in consultation with the Government of Afghanistan,

Acting, for these reasons, under Chapter VII of the Charter,

1. *Decides* to extend the authorization of the International Security Assistance Force, as defined in resolutions 1386 (2001) and 1510 (2003), for a period of twelve months beyond 13 October 2006;

2. *Authorizes* the Member States participating in the Force to take all necessary measures to fulfil its mandate;

3. *Recognizes* the need to further strengthen the Force, and in this regard calls upon Member States to contribute personnel, equipment and other resources to the Force, and to make contributions to the trust fund established pursuant to resolution 1386 (2001);

4. *Calls upon* the Force to continue to work in close consultation with the Government of Afghanistan and the Special Representative of the Secretary-General for Afghanistan, as well as with the Operation Enduring Freedom coalition in the implementation of the mandate of the Force;

5. *Requests* the leadership of the Force to provide quarterly reports on implementation of its mandate to the Security Council, through the Secretary-General;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5521st meeting.

Decisions

At its 5548th meeting, held in private on 9 October 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5548th meeting, held in private on 9 October 2006, the Security Council considered the item entitled 'The situation in Afghanistan'.
>
> "The President, with the consent of the Council, invited the representatives of Afghanistan, Finland, Germany, Iran (Islamic Republic of) and Pakistan to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Tom Koenigs, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan, and Mr. Antonio Maria Costa, Executive Director of the United Nations Office on Drugs and Crime.
>
> "Members of the Council, Mr. Koenigs, Mr. Costa and the representatives of Afghanistan and Pakistan had an exchange of views."

On 9 November 2006, the President of the Security Council addressed the following letter to the Secretary-General:[176]

"I have the honour to inform you that the members of the Security Council have decided to send a mission to Afghanistan from 9 to 17 November 2006. The mission will be led by Ambassador Kenzo Oshima, of Japan. The members of the Council have agreed on the terms of reference of the mission, which are annexed hereto.

"Following consultations with the members, it has been agreed that the composition of the mission is as follows:

"Japan (Ambassador Kenzo Oshima, head of mission)

"Argentina (Mr. Martín García Moritán)

"Denmark (Ambassador Lars Faaborg-Andersen)

"France (Ambassador Jean-Pierre Lacroix)

"Greece (Ambassador Adamantios Th. Vassilakis)

"Qatar (Mr. Abdulla Al-Sulaiti)

"Russian Federation (Mr. Vadim Smirnov)

"Slovakia (Ambassador Peter Burian)

"United Kingdom of Great Britain and Northern Ireland (Mr. Nicholas Williams)

"United States of America (Ambassador Jackie Wolcott Sanders)

"I should be grateful if you could have the present letter and its annex circulated as a document of the Security Council.

"Annex

"Security Council mission to Afghanistan

"Terms of reference

"1. The members of the Security Council have decided to send a mission to Afghanistan. The visit will take place from 9 to 17 November 2006.

"2. The mission has the following objectives:

- To give assurance to the Afghan society of the continued commitment by the international community to the Afghan process based on the Afghanistan Compact[175] and Security Council resolution 1662 (2006) under the Afghan leadership;
- To demonstrate the Council's support for the Afghan efforts for security, governance and development by the Government, Parliament, local governments, civil society and other Afghan parties;
- To review the progress in the Afghan efforts in the above areas, with particular emphasis on counter-narcotics, disarmament, demobilization and reintegration-disbandment of illegal armed groups, human rights protection, public sector reform, justice sector reform and rule-of-law issues;
- To review the status of international assistance, in particular the activities of the United Nations Assistance Mission in Afghanistan, including United Nations provincial offices and the Joint Coordination and Monitoring Board and the

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[176] S/2006/875.

> operation of the International Security Assistance Force, including its cooperation with the Afghan security forces and the Operation Enduring Freedom coalition."

At its 5641st meeting, on 20 March 2007, the Council decided to invite the representatives of Afghanistan, Belarus, Canada, Germany, Iceland, India, Iran (Islamic Republic of), Japan, New Zealand, the Netherlands, Norway and Pakistan to participate, without vote, in the discussion of the item entitled:

> "The situation in Afghanistan
>
> > "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2007/152)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Tom Koenigs, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan, and Mr. Antonio Maria Costa, Executive Director of the United Nations Office on Drugs and Crime and Director-General of the United Nations Office at Vienna.

At its 5645th meeting, on 23 March 2007, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

Resolution 1746 (2007)
of 23 March 2007

The Security Council,

Recalling its previous resolutions on Afghanistan, in particular resolution 1662 (2006) of 23 March 2006, in which it extended, until 23 March 2007, the mandate of the United Nations Assistance Mission in Afghanistan, as laid down in the report of the Secretary-General of 7 March 2006,[177] and resolution 1659 (2006) of 15 February 2006, in which it endorsed the Afghanistan Compact,[175] and recalling also the report of the Security Council mission to Afghanistan from 11 to 16 November 2006,[178]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Reaffirming its continued support for the Government and people of Afghanistan as they rebuild their country, strengthen the foundations of sustainable peace and constitutional democracy and assume their rightful place in the community of nations,

Reaffirming in this context its support for the implementation, under the ownership of the Afghan people, of the Afghanistan Compact, the Afghanistan National Development Strategy[179] and the National Drug Control Strategy,[180] and noting that sustained efforts by all relevant actors are required to consolidate progress made towards their implementation and to overcome current challenges,

Recalling that the Afghanistan Compact is based on a partnership between the Government of Afghanistan and the international community, with a central and impartial coordinating role for the United Nations,

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[177] S/2006/145.

[178] S/2006/935.

[179] See S/2006/105, annex.

[180] S/2006/106, annex.

Recognizing once again the interconnected nature of the challenges in Afghanistan, reaffirming that sustainable progress on security, governance and development, as well as the cross-cutting issue of counter-narcotics, is mutually reinforcing, and welcoming the continuing efforts of the Government of Afghanistan and the international community to address these challenges in a coherent manner through the comprehensive framework provided by the Afghanistan Compact,

Noting, in the context of a comprehensive approach, the synergies in the objectives of the Mission and of the International Security Assistance Force, and stressing the need for continued cooperation and coordination, taking due account of their respective designated responsibilities,

Reiterating its concern about the security situation in Afghanistan, in particular the increased violent and terrorist activities by the Taliban, Al-Qaida, illegal armed groups and those involved in the narcotics trade, and the links between terrorism activities and illicit drugs, resulting in threats to the local population, national security forces and international military and civilian personnel, and stressing the importance of the security and safety of United Nations and associated personnel,

Expressing its concern over the harmful consequences of the insurgency on the capacity of the Government of Afghanistan to provide security and basic services to the Afghan people and to ensure the full enjoyment of their human rights and fundamental freedoms,

Recalling the importance of the Kabul Declaration on Good-neighbourly Relations of 22 December 2002 (the Kabul Declaration),[181] welcoming the New Delhi Declaration adopted at the Second Regional Economic Cooperation Conference on Afghanistan on 19 November 2006,[182] looking forward to the Third Regional Economic Cooperation Conference on Afghanistan, to be held in Islamabad in 2007, and stressing the crucial importance to all parties of advancing regional cooperation as an effective means to promote security, governance and development in Afghanistan,

Recalling its resolutions 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, 1674 (2006) of 28 April 2006 and 1738 (2006) of 23 December 2006 on the protection of civilians in armed conflict and its resolution 1325 (2000) of 31 October 2000 on women and peace and security,

Stressing the central and impartial role that the United Nations continues to play in promoting peace and stability in Afghanistan by leading the efforts of the international community, including, jointly with the Government of Afghanistan, the coordination and monitoring of efforts in implementing the Afghanistan Compact, and expressing its appreciation and strong support for the ongoing efforts of the Secretary-General, his Special Representative for Afghanistan and the women and men of the Mission,

1. *Welcomes* the report of the Secretary-General of 15 March 2007;[183]

2. *Expresses its appreciation* for the United Nations long-term commitment to work with the Government and the people of Afghanistan;

3. *Decides* to extend the mandate of the United Nations Assistance Mission in Afghanistan, as established by resolution 1662 (2006), until 23 March 2008;

4. *Stresses* the role of the Mission to promote a more coherent international engagement in support of Afghanistan, to extend its good offices through outreach in Afghanistan, to support regional cooperation in the context of the Afghanistan Compact,[175] to promote humanitarian

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[181] S/2002/1416, annex.

[182] S/2007/177, annex.

[183] S/2007/152.

coordination and to continue to contribute to human rights protection and promotion, including monitoring of the situation of civilians in armed conflict;

5. *Welcomes* the expanded presence of the Mission in the provinces, through regional and provincial offices, which support efforts at the central level to coordinate and monitor the implementation of the Afghanistan Compact and assist the efforts of the Government of Afghanistan and its international partners in improving the delivery of services to Afghan citizens throughout the country, and encourages further progress in this regard, including in the southern and eastern provinces, security circumstances permitting;

6. *Reiterates its call upon* the Government of Afghanistan, and all members of the international community and international organizations, to implement the Afghanistan Compact and the annexes thereto in full;

7. *Emphasizes* the importance of meeting the benchmarks and timelines of the Afghanistan Compact for progress on security, governance and development, as well as the cross-cutting issue of counter-narcotics, and of increasing the effectiveness and coordination of the assistance to Afghanistan;

8. *Acknowledges* the central role played by the Joint Coordination and Monitoring Board in facilitating and monitoring the implementation of the Afghanistan Compact, stresses the role of the Board to support Afghanistan by, inter alia, coordinating international assistance and reconstruction programmes, encourages efforts to strengthen the secretariat of the Board, welcomes the results of the meeting of the Board, held at the level of senior officials in Berlin on 30 and 31 January 2007, and encourages further efforts to provide appropriate high-level political guidance and promote a more coherent international engagement;

9. *Calls upon* all Afghan parties and groups to engage constructively in an inclusive political dialogue, within the framework of the Afghan Constitution and Afghan-led reconciliation programmes, and in the social development of the country, and stresses the importance of these factors to enhance security and stability;

10. *Stresses* the need for further progress on security sector reform, inter alia, in order to advance towards the goal of ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country, welcomes in this regard the ongoing efforts to increase the functionality, professionalism and accountability of the security sector, including the Afghan National Army and the Afghan National Police, including the recent proposed contributions by the United States of America and other partners, and calls for proper monitoring of the deployment of the Auxiliary Police to ensure its accountability to central authorities;

11. *Welcomes* the decision by the European Union to establish a mission in the field of policing with linkages to the wider rule of law and counter-narcotics, to assist and enhance current efforts in the area of police reform at the central and provincial levels, and looks forward to the early launch of the mission;

12. *Welcomes also* the successful conclusion of the disarmament, demobilization and reintegration process started in October 2003, as well as the launch of the programme of disbandment of illegal armed groups and the commitments made in this regard at the Second Tokyo Conference on Consolidation of Peace in Afghanistan on 5 July 2006, calls for determined efforts by the Government of Afghanistan to pursue at all levels the timely implementation of the programme throughout the country, including through the implementation of the newly adopted action plan, and requests the international community to extend further assistance to these efforts, taking fully into account the guidance of the Mission;

13. *Stresses* the need for accelerated progress in the implementation of the ten-year strategy for justice reform within the framework of the Afghanistan Compact, including through the definition of responsibilities and the provision of adequate resources, invites the Government of Afghanistan, with the assistance of the international community, to continue to work towards the establishment of a fair and transparent justice system, including the reconstruction and reform

of the correctional system, in order to strengthen the rule of law throughout the country and eliminate impunity, and takes note with interest of the initiative to organize in Rome a Conference on the Rule of Law in Afghanistan to enhance Afghan and international commitment to justice sector reform;

14. *Welcomes* the continued efforts by the Afghan authorities to promote legislative reform, and stresses the importance of international support for capacity-building in such reform and its implementation;

15. *Welcomes also* the establishment of the provincial councils in accordance with the Afghan Constitution, encourages all institutions to work in a spirit of cooperation, calls upon the Government of Afghanistan to pursue continued public administrative reform in order to ensure good governance, full representation and accountability at both the national and the local levels, and stresses the need for further international efforts to provide technical assistance in this regard, particularly at the local level;

16. *Calls upon* the Government of Afghanistan, with support from the international community, to begin planning and preparation for Afghanistan's next election cycle, including the establishment of a permanent civil and voter registry as called for in the Afghanistan Compact, the passage and implementation of an updated Election Law, and financial and political support for the Independent Election Commission to ensure that it possesses the resources needed, and to ensure that Afghanistan is set on the path to the creation of affordable and sustainable systems that will contribute to free, fair and transparent elections;

17. *Notes with concern* the effects of widespread corruption on security, good governance and counter-narcotics efforts, and calls upon the Government of Afghanistan, with the assistance of the international community, to vigorously lead the fight against corruption and to sustain its efforts to establish a more effective, accountable and transparent administration, and welcomes recent steps by the Government in this regard;

18. *Calls for* full respect for human rights and international humanitarian law throughout Afghanistan, requests the Mission, with the support of the Office of the United Nations High Commissioner for Human Rights, to continue to assist in the full implementation of the human rights provisions of the Afghan Constitution and international treaties to which Afghanistan is a State party, in particular those regarding the full enjoyment by women of their human rights, and commends the Afghan Independent Human Rights Commission for its courageous efforts to monitor respect for human rights in Afghanistan as well as to foster and protect those rights;

19. *Stresses* the importance of the ongoing process of national reconciliation undertaken by the Government of Afghanistan and encourages the full and timely implementation, with international support, of the Action Plan on Peace, Justice and Reconciliation in accordance with the Afghanistan Compact, without prejudice to the implementation of measures introduced by the Security Council in its resolution 1267 (1999) of 15 October 1999 and other relevant resolutions of the Council;

20. *Welcomes* the cooperation of the Government of Afghanistan and the Mission with the Security Council Committee established pursuant to resolution 1267 (1999) in the implementation of resolution 1735 (2006) of 22 December 2006, and encourages the continuation of such cooperation;

21. *Welcomes also* the progress made in the implementation of the Afghanistan National Development Strategy,[179] stresses the need for continued leadership by the Government of Afghanistan in its implementation, and encourages the participants at the London Conference on Afghanistan to continue to fulfil and consider increasing their pledges, including financial assistance for the implementation of the Strategy;

22. *Expresses its concern* at the serious harm that increasing opium cultivation, production and trafficking causes to the security, development and governance of Afghanistan as well as to the region and internationally, calls upon the Government of Afghanistan, with the assistance of

the international community, to pursue effective implementation of the National Drug Control Strategy,[180] and encourages additional international support for the four priorities identified in the Strategy, including through contributions to the Counter-Narcotics Trust Fund and continued regional cooperation for the fight against the illicit trafficking in drugs and precursors and against money-laundering linked to such trafficking;

23. *Welcomes* the outcome of the Second Ministerial Conference on Drug Trafficking Routes from Afghanistan, organized by the Government of the Russian Federation in cooperation with the United Nations Office on Drugs and Crime and held in Moscow from 26 to 28 June 2006,[184] within the framework of the Paris Pact initiative, and calls upon States to strengthen international and regional cooperation to counter the threat to the international community posed by the illicit production of and trafficking in drugs originating in Afghanistan;

24. *Calls upon* all Afghan and international parties to continue to cooperate with the Mission in the implementation of its mandate and in efforts to promote the security and freedom of movement of United Nations and associated personnel throughout the country;

25. *Calls upon* the Government of Afghanistan, with the assistance of the international community, including the International Security Assistance Force and the Operation Enduring Freedom coalition, in accordance with their respective designated responsibilities as they evolve, to continue to address the threat to the security and stability of Afghanistan posed by the Taliban, Al-Qaida, other extremist groups and criminal activities, welcomes the completion of the expansion of the Force throughout Afghanistan, and calls upon all parties to uphold international humanitarian and human rights law and to ensure the protection of civilian life;

26. *Welcomes* the ongoing efforts of the Government of Afghanistan and its neighbouring and regional partners to foster trust and cooperation with each other, stresses the importance of increasing cooperation between Afghanistan and the partners against the Taliban, Al-Qaida and other extremist groups, in promoting peace and prosperity in Afghanistan and in fostering cooperation in the economic and development sectors as a means to achieve the full integration of Afghanistan into regional dynamics and the global economy, and further welcomes progress in this regard;

27. *Recognizes* the importance of voluntary, safe, orderly return and sustainable reintegration of the remaining Afghan refugees for the stability of the country and the region, and calls for continued and enhanced international assistance in this regard;

28. *Requests* the Secretary-General to report to the Council every six months on developments in Afghanistan;

29. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5645th meeting.

Decisions

In a letter dated 15 May 2007,[185] the President of the Security Council informed the Secretary-General that his letter dated 7 May 2007[186] had been brought to the attention of the members of the Council and that they took note of the information and the intention expressed therein.

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[184] See S/2006/598, annex.

[185] The letter, which was issued as a Security Council document under the symbol S/2007/280, has been reproduced on page 106 of the present volume.

[186] S/2007/279.

At its 5680th meeting, held in private on 23 May 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5680th meeting, held in private on 23 May 2007, the Security Council considered the item entitled 'The situation in Afghanistan'.
>
> "The President, with the consent of the Council, invited the representative of Afghanistan to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Tom Koenigs, Special Representative of the Secretary-General for Afghanistan.
>
> "Members of the Council heard a briefing by Mr. Koenigs.
>
> "Mr. Koenigs and members of the Council had an exchange of views."

At its 5718th meeting, on 17 July 2007, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[187]

> "The Security Council welcomes recent international initiatives aimed at enhancing security, stability and development in Afghanistan, including the annual Afghanistan Development Forum, held on 29 and 30 April 2007, followed by a meeting of the Joint Coordination and Monitoring Board; the meeting of Ministers for Foreign Affairs of the Group of Eight with the Ministers for Foreign Affairs of Afghanistan and Pakistan, held in Potsdam, Germany, on 30 May 2007, which adopted a joint statement on the promotion of cooperation and assistance through mutual consultation and agreement, including follow-up projects in areas such as refugee repatriation and economic development on both sides of the border; the Conference on Disbandment of Illegal Armed Groups for the Stabilization of Afghanistan: Coordination with Police Reform, co-chaired by Afghanistan, Japan and the United Nations Assistance Mission in Afghanistan and held in Tokyo on 21 June 2007; and the Rome Conference on the Rule of Law in Afghanistan, co-chaired by the Governments of Afghanistan and Italy and the Secretary-General of the United Nations and held on 2 and 3 July 2007, which agreed on measures to enhance Afghan and international commitment to justice sector reform, as outlined in the conclusions of the Chairs and the joint recommendations of the Conference,[188] and called for a follow-up meeting in Kabul in October 2007. The Council encourages all relevant parties to ensure full and timely implementation of the outcomes of these events.
>
> "The Council reaffirms its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan. The Council also reaffirms the central and impartial role that the United Nations continues to play in promoting peace and stability in Afghanistan by leading the efforts of the international community. The Council welcomes, in this regard, the participation and contribution of the Secretary-General to various initiatives on Afghanistan, as well as his visit to the country on 29 June 2007.

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[187] S/PRST/2007/27.

[188] S/2007/419, annex.

"The Council notes that these developments reinforce the progress made in pursuing a comprehensive approach to the security, governance and development of Afghanistan, on the basis of the Afghanistan Compact[175] and the Afghanistan National Development Strategy.[179] The Council emphasizes that the strengthening of Afghan institutions, the advancement of regional cooperation, sustained economic and social development, and the fight against international terrorism, as well as against opium cultivation, production and trafficking remain key factors to achieve sustainable peace, stability and development in Afghanistan.

"The Council reiterates its support for the continuing endeavours by the Government of Afghanistan, with the assistance of the international community, including the International Security Assistance Force and the Operation Enduring Freedom coalition, to further improve the security situation and to continue to address the threat posed by the Taliban, Al-Qaida and other extremist groups. The Council condemns in the strongest terms all suicide attacks against civilians and Afghan and international forces and their destabilizing effects on the security and stability of Afghanistan, as well as the use by the Taliban and other extremist groups of civilians as human shields. The Council deeply regrets all losses sustained by the local population, the national security forces and international military and civilian personnel. The Council expresses its concern about all civilian casualties and reiterates its call for all feasible steps to be taken to ensure the protection of civilian life and for international humanitarian and human rights law to be upheld. The Council stresses the importance of continued cooperation between international security forces and the Afghan authorities, inter alia, to promote awareness of local culture and traditions, which is useful in the implementation of their tasks. The Council stresses the role of the United Nations Assistance Mission in Afghanistan to continue to contribute to human rights protection, including monitoring of the situation of civilians in armed conflict.

"The Council expresses its concern at the serious harm that increasing opium cultivation, production and trafficking causes to the security, development and governance of Afghanistan as well as to the region and internationally, and calls upon the Government of Afghanistan, with the assistance of the international community, to pursue effective implementation of the National Drug Control Strategy.[180] The Council welcomes the efforts undertaken by the United Nations Office on Drugs and Crime to promote border management cooperation in drug control between Afghanistan and its neighbours. The Council also notes with concern evidence of growing links between the insurgency and the drug trade in the south of Afghanistan.

"The Council welcomes the efforts of the International Security Assistance Force and other partners to train and mentor the Afghan national security forces. The Council welcomes the establishment of the Afghan-led International Police Coordination Board to enhance coordination and increase effectiveness in this area, which is central to the process of empowerment of the Government of Afghanistan. The Council also welcomes the deployment, beginning on 15 June 2007, of the European Union Police Mission in Afghanistan.

"The Council stresses the importance for the stability of the country and the region of finding viable solutions for Afghan refugees, in particular for their voluntary, safe and orderly return and sustainable reintegration in Afghanistan, and calls for continued and enhanced international cooperation and assistance in this regard.

"The Council encourages relevant national and international actors to develop increased operational synergies, taking due account of their respective roles and responsibilities. The Council emphasizes in this regard the central role played by the Joint Coordination and Monitoring Board in coordinating international assistance, while preserving Afghan ownership, and encourages further efforts to promote a more coherent international engagement.

"The Council appreciates the continued efforts of the Secretary-General and his Special Representative for Afghanistan to ensure the full implementation of the mandate of the United Nations Assistance Mission in Afghanistan, as established by resolution 1662 (2006) and extended by resolution 1746 (2007), and looks forward to the further expansion of the Mission and its operations to key provinces across the country at the earliest opportunity."

THE SITUATION IN SIERRA LEONE[189]

Decision

At its 5608th meeting, on 22 December 2006, the Security Council decided to invite the representatives of the Netherlands (Chair of the meetings of the Peacebuilding Commission on Sierra Leone) and Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Third report of the Secretary-General on the United Nations Integrated Office in Sierra Leone (S/2006/922)".

Resolution 1734 (2006)
of 22 December 2006

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the situation in Sierra Leone, in particular resolutions 1620 (2005) of 31 August 2005 and 1688 (2006) of 16 June 2006,

Commending the valuable contribution that the United Nations Integrated Office in Sierra Leone has made to the recovery of Sierra Leone from conflict and to the country's peace, security and development,

Having considered the report of the Secretary-General of 28 November 2006,[190] and welcoming his recommendation that the mandate of the United Nations Integrated Office in Sierra Leone be extended for a further twelve months, until 31 December 2007, with a view to providing continued peacebuilding assistance to the Government of Sierra Leone and preparing for the general elections in July 2007,

Taking note of the letter dated 27 November 2006 from the President of Sierra Leone to the Secretary-General that likewise emphasizes the need for the mandate of the United Nations Integrated Office in Sierra Leone to be extended for a further twelve months,

Stressing that the July 2007 elections and the wide acceptance of their outcome will be a major milestone indicating the sustainability of peace and security in Sierra Leone, which should also help to define an exit strategy for the United Nations Integrated Office in Sierra Leone,

Emphasizing the importance of the continued support of the United Nations system and the international community for the long-term peace, security and development of Sierra Leone, particularly through the strengthening of the capacity of the Government of Sierra Leone,

Taking note of the country-specific meetings of the Peacebuilding Commission held on 12 October and 13 December 2006, at which the Commission discussed four priority areas for peacebuilding efforts in Sierra Leone as well as gaps in those areas, recommended next steps for peacebuilding and noted the determination of the Government of Sierra Leone to coordinate and prioritize work in the country, working with the United Nations Integrated Office in Sierra Leone, donors, international institutions, civil society and the private sector to take forward these priorities in order to help to bring about a sustainable peace,

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[189] Resolutions or decisions on this question have been adopted by the Security Council every year since 1995.

[190] S/2006/922.

Welcoming the progress made in reforming the security sector in Sierra Leone and, in particular, the developing professionalism of the Sierra Leone armed forces and police, and urging further strengthening and rationalizing of the security architecture so that the police and armed forces are sustainable in the long term and able to carry out their tasks effectively, in particular in connection with the elections in July 2007,

Welcoming also the launch in July 2006 of the Improved Governance and Accountability Pact agreed between main donors and the Government of Sierra Leone, which sets out ten critical governance commitments, including on anti-corruption, public procurement, civil service reform and democracy, and a further ten donor principles of engagement to improve aid effectiveness,

Reiterating its appreciation for the work of the Special Court for Sierra Leone and its vital contribution to reconciliation and the rule of law in Sierra Leone and the subregion, stressing the importance of the forthcoming trial of former Liberian President Charles Taylor by the Special Court and the progress being made in other trials, reiterating its expectation that the Special Court will finish its work expeditiously, noting in this regard the Secretary-General's letter of 27 November 2006, and calling upon Member States to contribute generously to the Special Court,

Encouraging the member States of the Mano River Union and other regional organizations to continue their dialogue aimed at building regional peace and security,

1. *Decides* to extend the mandate of the United Nations Integrated Office in Sierra Leone, as outlined in resolution 1620 (2005), until 31 December 2007;

2. *Endorses* the increase in the number of personnel of the United Nations Integrated Office in Sierra Leone recommended in paragraph 70 of the report of the Secretary-General of 28 November 2006[190] for the period from 1 January to 31 October 2007 in order to enhance the support provided by the Office for the elections and its ability to carry out its functions elsewhere in Sierra Leone;

3. *Calls upon* the Secretary-General to conduct a comprehensive assessment of the role of the United Nations Integrated Office in Sierra Leone, closer to the election date, with a view to developing its exit strategy;

4. *Calls upon* all parties in Sierra Leone to demonstrate their full commitment to the democratic process and to ensure that the 2007 presidential and parliamentary elections are peaceful, transparent, free and fair;

5. *Calls upon* the Government of Sierra Leone to provide the necessary support for the electoral institutions, and urges Member States to provide technical and material support, including to address the shortfall in the electoral budget;

6. *Emphasizes* that the Government of Sierra Leone bears the primary responsibility for peacebuilding, security and long-term development in the country, and encourages the Government to continue its close engagement with the Peacebuilding Commission and international donors to continue to provide support to the Government;

7. *Calls upon* the Government of Sierra Leone, the United Nations Integrated Office in Sierra Leone and all other stakeholders in the country to increase their efforts to promote good governance, including through continued measures to combat corruption, improve accountability, promote the development of the private sector to generate wealth and employment opportunities, strengthen the judiciary and promote human rights;

8. *Calls upon* the Government of Sierra Leone to expedite the implementation of the recommendations of the Truth and Reconciliation Commission, and calls upon Member States to assist the Government in funding the activities of the National Human Rights Commission;

9. *Emphasizes* the important role of women in the prevention and resolution of conflicts and in peacebuilding, as recognized in resolution 1325 (2000) of 31 October 2000, underlines that a gender perspective should be taken into account in implementing all aspects of the mandate of the United Nations Integrated Office in Sierra Leone, welcomes in this regard the action plan developed by the Office, encourages the Office to work with the Government of Sierra Leone in this area, and requests the Secretary-General to ensure that there is adequate capacity, expertise and resources within the Office to carry out this work;

10. *Requests* the Secretary-General, where appropriate, to include in his reporting to the Security Council progress on gender mainstreaming throughout the United Nations Integrated Office in Sierra Leone and all other aspects relating to the situation of women and girls, especially in relation to the need to protect them from gender-based violence;

11. *Welcomes* the efforts undertaken by the United Nations Integrated Office in Sierra Leone to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse to ensure full compliance of its personnel with the United Nations code of conduct;

12. *Requests* the Secretary-General to keep the Council regularly informed of progress made in the implementation of the mandate of the United Nations Integrated Office in Sierra Leone and the present resolution;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5608th meeting.

Decisions

At its 5690th meeting, on 8 June 2007, the Security Council decided to invite the representatives of Canada, Germany, the Netherlands, Nigeria and Sierra Leone to participate, without vote, in the discussion of the item entitled "The situation in Sierra Leone".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Justice George Gelaga King, President of the Special Court for Sierra Leone, and Mr. Stephen Rapp, Prosecutor of the Special Court for Sierra Leone.

At its 5708th meeting, on 28 June 2007, the Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled "The situation in Sierra Leone".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[191]

> "The Security Council expresses its warm appreciation to the President and Chief Prosecutor of the Special Court for Sierra Leone for their briefing during the debate of the Council on 8 June 2007.
>
> "The Council reiterates its strong support for the Special Court and commends the progress that the Special Court has achieved. The Council particularly notes the contribution of the Special Court to strengthening stability in Sierra Leone and the subregion and putting an end to impunity.
>
> "The Council welcomes the commencement of the trial of Mr. Charles Taylor on 4 June 2007 in The Hague following the adoption of resolution 1688 (2006). The Council also congratulates the Special Court on handing down its first trial judgement on 21 June 2007 in the *AFRC* case.

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[191] S/PRST/2007/23.

"The Council also acknowledges progress made by the Special Court towards achieving its completion strategy.[192] The Council underlines its expectation that all organs of the Special Court will do their utmost to finish the work of the Special Court in accordance with the completion strategy.

"The Council urges the international community to continue to support the Special Court as it moves into its final stage of work, including by ensuring that the remaining fugitive indictee appears before the Special Court.

"The Council takes note in particular of the ongoing needs of the Special Court for financial support. The Council emphasizes the vital need for further pledges of voluntary contributions in order to allow the Special Court to complete its mandate in a timely manner, and asks all States Members of the United Nations to consider making such pledges.

"The Council also notes the other varied challenges facing the Special Court as it works to fulfil its mandate, and urges States to consider supporting the Special Court by entering into appropriate arrangements with the Special Court for witness relocation and enforcement of sentences.

"The Council recognizes that further arrangements will be needed to address residual matters after trials and appeals are completed, including issues arising from long-term enforcement of sentences for convicted persons, the future trial of any indictees remaining at large, witness protection and the preservation of the archives of the Special Court.

"Finally, the Council commends the important outreach activities of the Special Court in bringing its judicial work to the attention of the people of Sierra Leone, and thereby contributing to the restoration of the rule of law throughout the country and the region."

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994[193]

Decisions

At its 5594th meeting, on 15 December 2006, the Security Council decided to invite the representatives of Bosnia and Herzegovina, Rwanda and Serbia (Minister of Public Administration and Local Self-Government) to participate, without vote, in the discussion of the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

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[192] S/2007/338, annex I.

[193] Resolutions or decisions on this question have been adopted by the Security Council every year since 1999.

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

"Letter dated 15 November 2006 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/2006/898)

"Letter dated 30 November 2006 from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 addressed to the President of the Security Council (S/2006/951)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Judge Fausto Pocar, President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, Judge Erik Møse, President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, Ms. Carla Del Ponte, Prosecutor of the International Tribunal for the Former Yugoslavia, and Mr. Hassan Bubacar Jallow, Prosecutor of the International Criminal Tribunal for Rwanda.

At its 5697th meeting, on 18 June 2007, the Council decided to invite the representatives of Bosnia and Herzegovina, Montenegro, Rwanda and Serbia to participate, without vote, in the discussion of the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

"Letter dated 15 May 2007 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/2007/283 and Corr.1)

"Letter dated 23 May 2007 from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 addressed to the President of the Security Council (S/2007/323)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Judge Fausto Pocar, President of the International Tribunal for the Prosecution of Persons

Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, Judge Dennis Byron, President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, Ms. Carla Del Ponte, Prosecutor of the International Tribunal for the Former Yugoslavia, and Mr. Hassan Bubacar Jallow, Prosecutor of the International Criminal Tribunal for Rwanda.

RELATIONS BETWEEN CAMEROON AND NIGERIA[194]

Decision

On 17 October 2006, the President of the Security Council addressed the following letter to the Secretary-General:[195]

> "I have the honour to inform you that your letter dated 28 September 2006 indicating your intention to continue the activities of the United Nations support team for the Cameroon-Nigeria Mixed Commission with funding from the regular budget[196] has been brought to the attention of the members of the Security Council.
>
> "The members of the Council take note of the information contained in your letter and the intention expressed therein.
>
> "At the same time, the Council requests further information and clarification in writing on the activities expected to be performed by the Mixed Commission in 2007 and following years and on those activities to be performed by the United Nations team.
>
> "The members of the Council also urge the parties to the Mixed Commission to work with international donors to seek further voluntary contributions."

THE SITUATION IN THE GREAT LAKES REGION[197]

Decisions

On 13 October 2006, the President of the Security Council addressed the following letter to the Secretary-General:[198]

> "I have the honour to inform you that your letter dated 4 October 2006 concerning your request that the mandate of the Office of your Special Representative for the Great Lakes Region, which expired on 30 September 2006, be extended to 31 December 2006[199] has been brought to the attention of the members of the Security Council. They take note of the information and intention expressed in your letter.

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[194] Resolutions or decisions on this question were also adopted by the Security Council in 1996, 2004 and 2005.

[195] S/2006/819.

[196] S/2006/778.

[197] Resolutions or decisions on this question were also adopted by the Security Council in 1996, 1998 to 2005 and during the period from 1 January to 31 July 2006.

[198] S/2006/812.

[199] S/2006/811.

"In considering your letter, the members of the Council reiterated the request set out in the letter of the President of the Council dated 29 March 2006[200] that your Special Representative focus on three priorities in fulfilling his mandate:

"(*a*) To assist the countries of the region to convene the second Summit of the International Conference on the Great Lakes Region at the earliest opportunity;

"(*b*) To facilitate adoption by the countries of the region of a security, stability and development pact;

"(*c*) To support the core countries in ensuring that the planned regionally led follow-up mechanism is fully operational by the time of the second Summit and to take the necessary steps to transfer residual United Nations responsibilities to the core countries.

"In addition, members of the Council took note of the information in the letter dated 27 September 2006 from the Minister for Foreign Affairs and International Cooperation of the United Republic of Tanzania, Chair of the Regional Inter-Ministerial Committee of the International Conference on the Great Lakes Region, addressed to you regarding the intention of the core countries to reach decisions by 15 November 2006 on the location, establishment and organization of the regional Conference Secretariat.[201] Members of the Council would welcome further information in due course from representatives of the core countries on the decisions that are reached."

At its 5566th meeting, on 16 November 2006, the Council decided to invite the representative of Uganda to participate, without vote, in the discussion of the item entitled "The situation in the Great Lakes region".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[202]

"The Security Council welcomes efforts aimed at bringing to an end the long-running conflict in northern Uganda, and is following closely the Juba talks process between the Government of the Uganda and the Lord's Resistance Army. The conflict with the Lord's Resistance Army has caused the displacement of up to 2 million people and the death of about 100,000 people in the region, as well as leading to the death of 8 United Nations peacekeepers.

"The Council welcomes the cessation of hostilities which took effect on 29 August 2006, and was renewed on 1 November 2006, and stresses the importance, for peace and stability in the region, of both parties respecting that cessation of hostilities. The Council commends the Government of Southern Sudan for facilitating this agreement and for its efforts to further a long-term and peaceful solution to the conflict, and calls upon all parties to commit themselves fully to this end.

"The Council demands that the Lord's Resistance Army immediately release all women, children and other non-combatants, in accordance with Council resolution 1612 (2005) on children and armed conflict, and that the peace process be concluded expeditiously.

"The Council will continue to monitor developments closely. It invites Member States to support efforts to bring this conflict to an end so that peace and security can be restored to the region and the rule of law re-established, and to ensure that those responsible for serious violations of human rights and international humanitarian law are brought to justice.

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[200] S/2006/193.

[201] S/2006/811, annex.

[202] S/PRST/2006/45.

"The Council welcomes the briefing provided by the Secretariat on 7 November 2006, which it will consider further, in particular in the light of progress in the Juba talks process. It recalls the briefing provided on 19 April 2006 by the Ministers for Foreign Affairs and Defence of Uganda, the visit to Uganda by the Special Representative of the Secretary-General for Children and Armed Conflict in June 2006 and the briefings provided by the Under-Secretary-General for Humanitarian Affairs on northern Uganda on 20 April and 15 September 2006.

"The Council welcomes the announcement by the Government of Uganda of the establishment of a Joint Monitoring Committee to oversee the delivery of a prioritized Emergency Action Plan to tackle the humanitarian issues in northern Uganda, looks forward to further progress on improving the living conditions for civilians in northern Uganda, measurable against clear benchmarks, and urges Member States to maintain their support to these efforts. It also welcomes the work done by the Government of Uganda so far on its Peace, Recovery and Development Plan to address the long-term needs of the region."

At its 5603rd meeting, on 20 December 2006, the Council decided to invite the representatives of Canada, the Democratic Republic of the Congo, Finland and Rwanda to participate, without vote, in the discussion of the item entitled "The situation in the Great Lakes region".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahima Fall, Special Representative of the Secretary-General for the Great Lakes Region.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Liberata Mulamula, Executive Secretary of the Conference Secretariat of the International Conference on the Great Lakes Region.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[203]

"The Security Council commends the countries of the Great Lakes region for the successful conclusion of the Second Summit of the International Conference on the Great Lakes Region in Nairobi on 15 December 2006.

"The Council congratulates regional leaders on the signing of the Pact on Security, Stability and Development in the Great Lakes Region and welcomes their commitment to its implementation.

"The Council further welcomes the decision to establish a Regional Follow-up Mechanism, to include a Conference Secretariat headed by the first Executive Secretary, Ms. Liberata Mulamula, of the United Republic of Tanzania, as well as the decision to establish the offices of the Conference Secretariat in Bujumbura.

"The Council pays tribute to the joint African Union/United Nations Secretariat, the Group of Friends of the Great Lakes Region co-chaired by Canada and the Netherlands, the United Nations lead agencies, the African Union, the European Union, the African Development Bank and the international community for their support and assistance to the International Conference process.

"The Council also pays tribute to the Secretary-General and his Special Representative, Mr. Ibrahima Fall, for their support, commitment and effective facilitation of the process leading to the convening of the Second Summit and the signing of the Pact on Security, Stability and Development.

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[203] S/PRST/2006/57.

"The Council supports the request of the Regional Inter-Ministerial Committee to extend the mandate of the Office of the Special Representative of the Secretary-General for a final period of three months, until 31 March 2007, with a view to ensuring regional ownership of the Follow-up Mechanism and completing successfully the transition to the Conference Secretariat.

"The Council appeals to the countries of the region, the Group of Friends, the United Nations agencies, funds and programmes and the international community to consider providing assistance to the Conference Secretariat and the Special Fund for Reconstruction and Development in the Great Lakes Region to support implementation by the parties of the Pact on Security, Stability and Development."

At its 5637th meeting, on 9 March 2007, the Council considered the item entitled "The situation in the Great Lakes region".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahima Fall, Special Representative of the Secretary-General for the Great Lakes Region.

At its 5644th meeting, on 22 March 2007, the Council decided to invite the representative of Uganda to participate, without vote, in the discussion of the item entitled "The situation in the Great Lakes region".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[204]

"The Security Council recalls and reaffirms the statement by its President of 16 November 2006 on talks between the Government of Uganda and the Lord's Resistance Army.[202]

"The Council stresses its support for a negotiated settlement, commends the Government of Southern Sudan and others for their efforts to further a long-term and peaceful solution to the conflict, reiterates that those responsible for serious violations of human rights and international humanitarian law must be brought to justice, and urges that the peace process be concluded expeditiously.

"The Council urges the Lord's Resistance Army to immediately release all women, children and other non-combatants, in accordance with Council resolution 1612 (2005) on children and armed conflict.

"The Council welcomes the appointment of, and efforts undertaken so far by, Mr. Joaquim Chissano, former President of Mozambique, as the Special Envoy of the Secretary-General for the Lord's Resistance Army-affected areas, as set out in the letter dated 30 November 2006 from the Secretary-General to the President of the Council,[205] welcomes his briefing to the Council on 22 March 2007, and looks forward to his continued engagement on the issue.

"The Council welcomes the meeting between the Government of Uganda and the Lord's Resistance Army held on 11 March 2007, with community representatives present, and the progress made towards a resumption of talks. The Council looks forward to further progress in the talks and the renewal of the cessation of hostilities agreement.

"The Council commends the support provided to the talks by States in the region, welcomes contributions to the Juba Initiative Project, and urges the Secretariat and the countries and regional actors involved to provide further support, where possible, to Special Envoy Chissano and the mediation team.

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[204] S/PRST/2007/6.

[205] S/2006/930.

> "The Council notes the improved security and humanitarian situation in northern Uganda but looks forward to further progress on improving the living conditions for civilians there, and urges the international community and the Government of Uganda to sustain and improve humanitarian and development support, including through Uganda's Emergency Action Plan as overseen by the Joint Monitoring Committee."

In a letter dated 11 June 2007, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Addis Ababa, Khartoum, Accra, Abidjan and Kinshasa.[206]

THE SITUATION CONCERNING THE DEMOCRATIC REPUBLIC OF THE CONGO[207]

Decisions

At its 5504th meeting, on 3 August 2006, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[208]

> "The Security Council pays tribute to the citizens of the Democratic Republic of the Congo who, on 30 July 2006, took part in great numbers, freely and peacefully, in democratic elections of historic importance for their nation. It appeals to them to receive the results with the same spirit of civic responsibility, and to display the same commitment in the subsequent polls, with a view to ensuring the success of the democratic process.
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> "The Council expresses its appreciation to the Independent Electoral Commission for the untiring efforts they made to ensure that the polls could take place in the best possible conditions, and looks forward to the official announcement of the results by the Commission. It expresses its support to the Committee of the Wise [also known as the International Committee of Eminent Persons] chaired by President Joachim Chissano, whose role contributes greatly to the serenity and fairness of the electoral process.
>
> "The Council expresses its gratitude to the United Nations Organization Mission in the Democratic Republic of the Congo as well as to all the international partners of the Democratic Republic of the Congo that provided support to the electoral process, in particular its African partners, especially South Africa, as well as the European Union and the force it has temporarily deployed during this period.
>
> "The Council notes that the electoral campaign and the voting process took place largely in a calm environment. It deplores the incidents which occurred in recent days, in particular in Kinshasa, Mbuji Mayi and Mweka. It endorses the opinion of the International Committee in Support of the Transition, which welcomed, in this context, the work of the National Police forces.
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> "The Council urges all political actors in the Democratic Republic of the Congo to continue to work to ensure that the electoral process proceeds in a free, transparent and

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[206] The letter, which was issued as a Security Council document under the symbol S/2007/347, has been reproduced on page 77 of the present volume.

[207] Resolutions or decisions on this question have been adopted by the Security Council every year since 1997.

[208] S/PRST/2006/36.

peaceful manner, in accordance with the agreed timetable. The Council calls upon political leaders to refrain from making inflammatory speeches.

"The Council underlines that those elections will mark the completion of a long period of rule by transitional institutions and the start of democratic rule. The people who will be destined to lead the country will bear the important responsibility to provide long-term foundations for the restoration of peace and stability, national reconciliation and the establishment of the rule of law in the Democratic Republic of the Congo."

At its 5533rd meeting, on 22 September 2006, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[209]

"The Security Council pays tribute once again to the extraordinary commitment of the citizens of the Democratic Republic of the Congo demonstrated by their peaceful participation in the first stage of democratic elections of historic importance to their nation.

"The Council commends the substantial efforts being made by the United Nations Organization Mission in the Democratic Republic of the Congo, and the international community as a whole in support of peace and democratic elections in the Democratic Republic of the Congo. It stresses its commitment to the peaceful conduct of the second round of the presidential election and of the provincial elections scheduled for 29 October 2006, and its determination to ensure that the peace process in the Democratic Republic of the Congo succeeds, in the interests of the Congolese people, as well as central Africa and the Great Lakes region.

"The Council deplores the violence that erupted in Kinshasa from 20 to 22 August 2006 between security forces loyal to President Kabila and Vice-President Bemba, and commends the effective action of the European Union force, EUFOR R.D. Congo, in support of the Mission.

"The Council shares the serious concern expressed by the International Committee in Support of the Transition, in its statement of 11 September 2006, regarding the unchecked circulation of weapons and armed individuals in Kinshasa. It endorses the call by the International Committee for a cantonment of the security forces of both candidates and of troops of the Armed Forces of the Democratic Republic of the Congo in the province of Kinshasa, and for a ban on the circulation of armed individuals in this province.

"The Council calls upon all political parties and in particular President Kabila and Vice-President Bemba to restate their commitment to the peace process and to work within the framework they have agreed to establish with the facilitation of the Mission as a means of peacefully resolving political differences. It welcomes the meeting that took place between President Kabila and Vice-President Bemba as a first step in this direction and encourages them to continue to seek a peaceful resolution of their differences.

"The Council reiterates its support to the Independent Electoral Commission and to the High Media Authority. It urges all candidates and all parties in the Democratic Republic of the Congo to banish any message that could incite hatred and violence and to comply with the codes of conduct that those institutions have respectively elaborated for the conduct of free, fair and transparent elections in a peaceful climate. It commends the role of the International Committee of Eminent Persons and reiterates its support for it. It emphasizes again the importance of respecting the electoral calendar.

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[209] S/PRST/2006/40.

"The Council invites the Security Council Committee established pursuant to resolution 1533 (2004) to examine the situation in Kinshasa, if appropriate, in the context of the arms embargo imposed by resolutions 1493 (2003) and 1596 (2005) and renewed by resolution 1698 (2006). It also expresses its readiness to consider possible measures against individuals and entities who would further threaten the conduct of free and fair elections, in particular through the use of "hate media", preventing equal and responsible access to media, inciting violence and recourse to violence to prevent elections, dispute their outcome or subvert the peace process.

"The Council emphasizes the need for all political parties to act responsibly within the framework of democratic institutions after the elections.

"The Council underscores to the Congolese parties the importance of preventing impunity for those responsible for violations of human rights and international humanitarian law that constitute crimes."

At its 5541st meeting, on 29 September 2006, the Council considered the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Twenty-second report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2006/759)".

Resolution 1711 (2006)
of 29 September 2006

The Security Council,

Recalling its resolutions and the statements by its President concerning the Democratic Republic of the Congo, in particular resolutions 1565 (2004) of 1 October 2004, 1592 (2005) of 30 March 2005, 1596 (2005) of 18 April 2005, 1621 (2005) of 6 September 2005, 1628 (2005) of 30 September 2005, 1635 (2005) of 28 October 2005, 1671 (2006) of 25 April 2006 and 1693 (2006) of 30 June 2006, and its resolutions 1650 (2005) of 21 December 2005, 1669 (2006) of 10 April 2006 and 1692 (2006) of 30 June 2006 relating to the situation in Burundi and in the Great Lakes region,

Paying tribute again to the citizens of the Democratic Republic of the Congo who, on 30 July 2006, demonstrated their extraordinary commitment to the democratic process by taking part in great numbers, freely and peacefully, in the first stage of democratic elections of historic importance to their nation,

Reaffirming its commitment to respect for the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo as well as all States in the region, and its support for the process of the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed at Pretoria on 17 December 2002,

Underlining the importance of elections as the foundation for longer-term restoration of peace and stability, national reconciliation and establishment of the rule of law in the Democratic Republic of the Congo,

Commending the role in support of the electoral process played by the United Nations Organization Mission in the Democratic Republic of the Congo, the United Nations Development Programme and other international partners of the Democratic Republic of the Congo that provided support to the electoral process, in particular its African partners, especially South Africa, as well as the European Union and the force it has temporarily deployed during this period ("EUFOR R.D. Congo"),

Taking note of the fact that the second round of the presidential elections, as well as the provincial elections, are scheduled for 29 October 2006, *Stressing* the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security during the period encompassing the elections,

Paying tribute to the donor community for the assistance it provides to the Democratic Republic of the Congo, in particular to the electoral process, and encouraging it to maintain that assistance,

Deploring again the violence that erupted in Kinshasa from 20 to 22 August 2006 between security forces loyal to the two remaining presidential candidates,

Condemning the continuation of hostilities by militias and foreign armed groups in the eastern part of the Democratic Republic of the Congo, and the threat it poses to the holding of elections,

Deploring the persistence of violations of human rights and international humanitarian law in the Democratic Republic of the Congo, in particular those carried out by these militias and foreign armed groups and by elements of the Armed Forces of the Democratic Republic of the Congo, and stressing the urgent need for those responsible for these crimes to be brought to justice,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo, and declaring its determination to continue close monitoring of the implementation of the arms embargo imposed by resolution 1493 (2003) of 28 July 2003 and expanded by resolution 1596 (2005), and to enforce the measures provided for in paragraphs 13 and 15 of resolution 1596 (2005) against persons and entities acting in violation of this embargo,

Bearing in mind that the mandate of the United Nations Operation in Burundi will expire on 31 December 2006,

Taking note of the report of the Secretary-General of 21 September 2006,[210] and of the recommendations contained therein,

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo, as contained in resolutions 1565 (2004), 1592 (2005), 1596 (2005), 1621 (2005) and 1635 (2005), until 15 February 2007;

2. *Decides also* to extend until 15 February 2007 the increase in the military and civilian police strength of the Mission authorized by resolutions 1621 (2005) and 1635 (2005);

3. *Decides further* to extend until 31 December 2006 the authorization contained in resolutions 1669 (2006) and 1692 (2006) for the Secretary-General to redeploy temporarily a maximum of one infantry battalion, a military hospital and 50 military observers from the United Nations Operation in Burundi to the Mission;

4. *Takes note* of the recommendation of the Secretary-General to temporarily maintain until 15 February 2007 the capabilities referred to in paragraph 3 above, and expresses its intention to re-examine this issue before 31 December 2006 with a view to ensuring that the Mission has adequate capabilities to perform its mandate fully until the date referred to in paragraph 1 above;

5. *Underlines* the temporary character of the provisions of paragraphs 2 and 3 above, and requests the Secretary-General to take the necessary steps with a view to downsizing or repatriating this additional strength by 15 February 2007, as long as their presence in the Democratic Republic of the Congo would no longer be vital to the successful completion of the electoral process;

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[210] S/2006/759.

6. *Calls once again upon* the transitional institutions and all Congolese parties to ensure that free, fair and peaceful elections take place and that the next steps of the timetable for polls developed by the Independent Electoral Commission are scrupulously respected, and calls upon all candidates, in particular the two remaining presidential candidates, to restate their commitment to the democratic process;

7. *Reiterates* the importance of a cantonment of non-police security forces in the province of Kinshasa and its support for the International Committee in Support of the Transition in this regard, and takes note of the Commitment for a weapons-free city-province of Kinshasa signed on 23 September 2006;

8. *Calls upon* the transitional institutions and all Congolese parties to ensure that the security forces exercise restraint and remain impartial while providing security to the electoral process, and to respect the right of every candidate to conduct a campaign;

9. *Calls upon* all Congolese parties to refrain from incitement to hatred and violence and from any threat or use of force to prevent elections, dispute their outcome or subvert the peace process, and to resolve political differences by peaceful means, including through the framework established with the facilitation of the Mission, and within the framework of democratic institutions and the rule of law;

10. *Welcomes* the intention expressed by the Secretary-General to consult closely with the new Congolese authorities on an adjustment of the mandate and capacities of the Mission after the completion of the electoral process, requests the Secretary-General to submit recommendations to the Security Council in this regard by the end of January 2007, and expresses its commitment to continue to contribute to the consolidation of peace and stability in the Democratic Republic of the Congo in the post-transitional period;

11. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5541st meeting.

Decisions

At its 5562nd meeting, on 7 November 2006, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[211]

> "The Security Council pays tribute to the sense of civic responsibility once again demonstrated by the people of the Democratic Republic of the Congo, who participated peacefully and in large numbers in the provincial elections and the second round of the presidential election held on 29 October 2006.
>
> "The Council expresses its gratitude to the Independent Electoral Commission and the Congolese National Police, which played a central role in, respectively, organizing the elections and providing security for them. It underlines the role of the High Media Authority, the International Committee of Eminent Persons and the International Committee in Support of the Transition in promoting a smooth conduct of the electoral process and a calm political climate and reaffirms its support for them. It also welcomes the support provided for the holding of the elections by the United Nations Organization Mission in the Democratic Republic of the Congo, the European Union operation in the Democratic Republic of the Congo, EUFOR R.D. Congo, and the country's other international and regional partners, in particular South Africa and the European Union.

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[211] S/PRST/2006/44.

"The Council takes note of the fact that voting generally took place in an orderly and safe atmosphere. It deplores the isolated incidents that occurred, notably in Bumba and Bikoro in Equateur province and in Fataki in Ituri district.

"The Council recalls that the Independent Electoral Commission is responsible for announcing the election results. It calls upon all political actors and the Congolese people to await and receive these results calmly and responsibly, refraining from any incitement to hatred or recourse to violence and respecting democratic institutions and the rule of law.

"The Council attaches great importance to the signing of a declaration of post-electoral intent by the representatives of the two candidates in the second round of the presidential election at Kinshasa on 29 October 2006. It emphasizes that political differences must be settled by peaceful means only and calls upon the parties to comply with all the confidence-building measures to which they agreed after the incidents of 20 to 22 August 2006.

"The Council recalls that these elections are historic for the Democratic Republic of the Congo and looks forward to the installation of a democratically elected government. It stresses that the new authorities and all Congolese political actors will be responsible for ensuring the long-term sustainability of the restoration of peace and stability and for continuing to promote national reconciliation and the establishment of democratic institutions and the rule of law in the country."

At its 5580th meeting, on 6 December 2006, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[212]

"The Security Council welcomes the announcement by the Supreme Court of Justice on 27 November 2006 of the formal results of the second round of the presidential election in the Democratic Republic of the Congo.

"The Council congratulates President Joseph Kabila on his election and once again commends the Congolese people, whose determination and sense of civic responsibility enabled the first democratic elections to be held in the Democratic Republic of the Congo in more than 40 years.

"The Council welcomes the commitment by Mr. Jean-Pierre Bemba, in his statement of 28 November 2006, to continue to participate actively in Congolese politics within the framework of the institutions of the Republic.

"The Council looks forward to the completion of the electoral process, and reiterates the need for all political parties to act responsibly after the elections within the framework of democratic institutions and the rule of law. The Council attaches great importance to the fact that the democratically elected government should work side by side with all Congolese people and political actors to address the many reconstruction and security challenges facing the country and ensure long-term peace and stability in the Democratic Republic of the Congo.

"The Council expresses its sincere appreciation for the central role played by the Independent Electoral Commission and the Congolese National Police in, respectively, organizing the elections and providing security during the electoral process. It commends the invaluable support provided for the holding of the elections by the United Nations Organization Mission in the Democratic Republic of the Congo, the European Union operation in the Democratic Republic of the Congo, EUFOR R.D. Congo, and all the regional and international partners, in particular the African Union, South Africa and the European Union. The Council also recalls the vital roles that the International Committee of Eminent Persons and the International Committee in Support of the Transition have been playing throughout the electoral process.

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[212] S/PRST/2006/50.

"The Council pays tribute to the donor community for the assistance it has provided to the Democratic Republic of the Congo, in particular to the electoral process, and encourages the international community as a whole to continue to assist the Democratic Republic of the Congo during the process of peace consolidation, reconstruction and recovery.

"The Council expresses its serious concern at the recent hostilities launched by non-integrated army units in Sake, in North Kivu province, and at the impact that these actions have had on the civilian population, including women, children and the elderly. It calls upon these units to cease their hostilities, return without delay to their initial positions and submit themselves to the army integration or demobilization process.

"The Council encourages the Mission, in accordance with its mandate, to continue to address with determination such security challenges, and supports the steps it has taken recently in this regard, particularly in Ituri district and North Kivu province."

At its 5610th meeting, on 22 December 2006, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

Resolution 1736 (2006)
of 22 December 2006

The Security Council,

Recalling its resolutions and the statements by its President concerning the situation in the Democratic Republic of the Congo, Burundi and the Great Lakes region,

Paying tribute again to the citizens of the Democratic Republic of the Congo for the remarkable commitment they have demonstrated to the democratic process,

Taking note of the letter dated 15 November 2006 from the Secretary-General to the President of the Security Council,[213] and of the recommendation it contains,

Noting that the 50 military observers deployed in the Democratic Republic of the Congo under the authorized military strength of the United Nations Operation in Burundi pursuant to resolutions 1669 (2006) of 10 April 2006 and 1692 (2006) of 30 June 2006 have successfully performed observation tasks related to the electoral process and will be repatriated by 31 December 2006,

Condemning the continuation of hostilities by militias and foreign armed groups in the eastern part of the Democratic Republic of the Congo, and the threat it poses to the security of civilians and to the stability of the region,

Deploring the persistence of violations of human rights and international humanitarian law in the Democratic Republic of the Congo, in particular those carried out by these militias and foreign armed groups and by elements of the Armed Forces of the Democratic Republic of the Congo, and stressing the urgent need for those responsible for these crimes to be brought to justice,

Bearing in mind that the mandates of the United Nations Operation in Burundi and the United Nations Organization Mission in the Democratic Republic of the Congo will expire on 31 December 2006 and 15 February 2007 respectively,

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[213] S/2006/892.

Looking forward to the proposals of the Secretary-General, after close consultations with the new Congolese authorities, regarding the future mandate of the Mission, including a review of its military strength,

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Authorizes*, from 1 January 2007 until the expiry of the current mandate of the United Nations Organization Mission in the Democratic Republic of the Congo on 15 February 2007, an increase in the military strength of the Mission of up to 916 military personnel, to allow for the continued deployment to the Mission of the infantry battalion and the military hospital currently authorized under the mandate of the United Nations Operation in Burundi, and expresses its intention to examine this issue further before 15 February, in the context of the forthcoming proposals of the Secretary-General, with a view to ensuring that the Mission has adequate capabilities to perform its mandate;

2. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5610th meeting.

Decisions

At its 5616th meeting, on 9 January 2007, the Security Council decided to invite the representatives of the Democratic Republic of the Congo and Germany to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Javier Solana, High Representative for the Common Foreign and Security Policy and Secretary-General of the Council of the European Union.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, and Mr. Ibrahim Gambari, Under-Secretary-General for Political Affairs.

At its 5630th meeting, on 15 February 2007, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

Resolution 1742 (2007)
of 15 February 2007

The Security Council,

Recalling its resolutions and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to respect for the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo,

Recalling the support it provided, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo, for the process of the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed at Pretoria on 17 December 2002, and for the elections that represented the culmination of that process,

Reaffirming its commitment to continue to contribute to the consolidation of peace and stability in the Democratic Republic of the Congo in the post-transition period, *Underlining its attachment* to the continuation of a regular political dialogue with the Congolese authorities, and recalling the importance it attaches to the consultations undertaken with them by the Secretary-General on possible adjustments to be made to the mandate and capacities of the Mission during this period,

Taking note of the letter dated 15 January 2007 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council,[214]

Noting that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate and personnel strength of the United Nations Organization Mission in the Democratic Republic of the Congo, as set out in its resolutions 1565 (2004) of 1 October 2004, 1592 (2005) of 30 March 2005, 1596 (2005) of 18 April 2005, 1621 (2005) of 6 September 2005, 1635 (2005) of 28 October 2005 and 1736 (2006) of 22 December 2006, until 15 April 2007;

2. *Requests* the Secretary-General to report, as soon as possible and no later than 15 March 2007, on his consultations with the Congolese authorities and to submit recommendations on adjustments the Security Council may consider making to the mandate and capacities of the Mission;

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5630th meeting.

Decisions

At its 5653rd meeting, on 3 April 2007, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[215]

> "The Security Council deplores the violence which occurred from 22 to 25 March 2007 in Kinshasa between the Congolese security forces and the security guards of Senator Jean-Pierre Bemba. It expresses its grave concern at the loss of lives, in particular of civilians, and urges all parties to respect the sanctity of human life and the principles of human rights. It also expresses its regret at the destruction and pillaging, including of some diplomatic missions, which took place during the clashes.
>
> "The Council encourages the Congolese authorities and the United Nations Organization Mission in the Democratic Republic of the Congo to undertake the necessary investigations into these events.
>
> "The Council emphasizes the legitimacy of the new democratically elected institutions and the need for these institutions to ensure the protection of the population. At the same time, it underlines the importance of these institutions operating with respect for the rule of law, human rights and international humanitarian law, and avoiding any unnecessary or disproportionate use of force.
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> "The Council regrets the use of violence instead of dialogue to resolve disputes, and urges all Congolese stakeholders to pursue negotiated solutions to their differences with

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[214] S/2007/17.

[215] S/PRST/2007/9.

respect for the constitutional framework and the law. It calls upon the Government to respect the space and role conferred on parties by the Constitution with a view to ensuring their effective participation in the national political debate, and encourages all parties to remain committed to the political process.

"The Council welcomes the declaration of the Conference of Presidents of the Congolese National Assembly of 26 March 2007, in which all parliamentary groups reaffirmed their commitment to supporting the democratic process and recommended that all institutions of the Republic work towards reconciliation, national harmony and permanent dialogue between political stakeholders.

"The Council expresses its full support for the efforts of the Mission to re-establish dialogue between the Government and opposition parties and to contribute to the protection of the civilian population.

"The Council takes note of the communiqué of the Peace and Security Council of the African Union of 24 March 2007, and of the communiqué of the Extraordinary Summit of the Heads of State and Government of the Southern African Development Community, held in Dar-es-Salaam, United Republic of Tanzania, on 28 and 29 March 2007, which reaffirms the sovereign right of the Democratic Republic of the Congo to have a single national army and urges all armed groups to integrate into the national army or to be demobilized.

"The Security Council reiterates the importance of the continuing support of the international community for the peace consolidation process in the Democratic Republic of the Congo, particularly with a view to carrying out urgently security sector reform, and the need to ensure concerted action by international partners to this end. It recognizes that such support must be based on a shared commitment from the Congolese authorities and all Congolese political actors to national reconciliation and to the strengthening of democratic institutions."

At its 5660th meeting, on 13 April 2007, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Twenty-third report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2007/156)".

Resolution 1751 (2007)
of 13 April 2007

The Security Council,

Recalling its resolutions and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to respect for the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo, and its commitment to continue to contribute to the consolidation of peace and stability in the Democratic Republic of the Congo in the post-transition period, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo,

Noting that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate and personnel strength of the United Nations Organization Mission in the Democratic Republic of the Congo, as set out in its resolutions

1565 (2004) of 1 October 2004, 1592 (2005) of 30 March 2005, 1596 (2005) of 18 April 2005, 1621 (2005) of 6 September 2005, 1635 (2005) of 28 October 2005 and 1736 (2006) of 22 December 2006, until 15 May 2007;

2. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5660th meeting.

Decision

At its 5674th meeting, on 15 May 2007, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Twenty-third report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2007/156)".

Resolution 1756 (2007)
of 15 May 2007

The Security Council,

Recalling its resolutions and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to respect for the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo,

Recalling the support it provided, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo, for the process of the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed at Pretoria on 17 December 2002, and for the elections that represented the culmination of that process, and reaffirming its commitment to continue to contribute to the consolidation of peace and stability in the Democratic Republic of the Congo in the post-transition period,

Stressing the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians, with respect for the rule of law, human rights and international humanitarian law,

Deploring again the violence and loss of lives which occurred in late January and early February 2007 in the province of Bas-Congo and from 22 to 25 March 2007 in Kinshasa, encouraging the Congolese authorities and the Mission to continue and complete the necessary investigations into these events, regretting the use of violence, instead of dialogue, to resolve disputes, and urging all Congolese stakeholders to pursue negotiated solutions to their differences, with respect for the constitutional framework and the law,

Paying tribute to the international community for the assistance provided to the Democratic Republic of the Congo, encouraging the maintenance of that assistance, and underlining its commitment to the continuation of a regular political dialogue with the Congolese authorities,

Recalling the importance of elections, including the forthcoming local elections, as a milestone for the longer-term restoration of peace and stability, national reconciliation and establishment of the rule of law in the Democratic Republic of the Congo,

Recalling also the importance of urgently carrying out security sector reform and of disarming, demobilizing, resettling or repatriating, as appropriate, and reintegrating Congolese and foreign armed groups for the long-term stabilization of the Democratic Republic of the Congo, and the contribution made by international partners in this field, *Reiterating its grave concern* at the presence of armed groups and militias in the eastern part of the Democratic Republic of the Congo, particularly in the Ituri district and in North and South Kivu, which perpetuates a climate of insecurity in the whole region,

Deploring again the persistence of violations of human rights and international humanitarian law in the Democratic Republic of the Congo, in particular those carried out by these militias and armed groups and by elements of the Armed Forces of the Democratic Republic of the Congo, the Congolese National Police and other security and intelligence services, and stressing the urgent need for those responsible for these crimes to be brought to justice,

Recalling its resolution 1612 (2005) of 26 July 2005 on children and armed conflict and the subsequent conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties in the armed conflict of the Democratic Republic of Congo,[216]

Calling attention to the grave humanitarian situation that persists in the Democratic Republic of the Congo, and calling upon Member States to continue to provide assistance in that regard,

Taking note with satisfaction of the adoption of the programme of the Government, in particular the governance contract included therein, calling upon the Government to ensure the full implementation of the contract, and welcoming the Country Assistance Framework process as a common strategic approach for assistance to the Democratic Republic of the Congo and as a mechanism to implement the priorities set out in the Democratic Republic of the Congo's poverty reduction strategy paper for 2007–2010,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo, and declaring its determination to closely monitor implementation of the arms embargo imposed by resolution 1493 (2003) of 28 July 2003 and expanded by resolution 1596 (2005) of 18 April 2005, and to continue enforcing the measures provided for in paragraphs 13 and 15 of resolution 1596 (2005), in paragraph 2 of resolution 1649 (2005) of 21 December 2005 and in paragraph 13 of resolution 1698 (2006) of 31 July 2006,

Recognizing the link between the illegal exploitation of natural resources, the illicit trade in such resources and the proliferation of and trafficking in arms as one of the factors fuelling and exacerbating conflicts in the Great Lakes region, and in particular in the Democratic Republic of the Congo, and urging all States, especially those in the region, to take appropriate steps to end these illegal activities,

Welcoming the signing at Nairobi on 15 December 2006 of the Pact on Security, Stability and Development in the Great Lakes Region, the holding of the first meeting of parliamentarians of the Great Lakes region in Kinshasa from 26 to 28 February 2007, and the resumption of the activities of the Economic Community of the Great Lakes Countries,

Taking note of the twenty-third report of the Secretary-General on the Mission, of 20 March 2007,[217] and of the recommendations contained therein,

Noting that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo until 31 December 2007, and authorizes the continuation until that date of up to 17,030 military personnel, 760 military observers, 391 police trainers and 750 personnel of formed police units;

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[216] S/2006/724, annex.

[217] S/2007/156.

2. *Decides also* that the Mission shall have the mandate, within the limits of its capabilities and in its areas of deployment, to assist the Government of the Democratic Republic of the Congo in establishing a stable security environment in the country, and, to that end:

Protection of civilians, humanitarian personnel and United Nations personnel and facilities

(*a*) To ensure the protection of civilians, including humanitarian personnel, under imminent threat of physical violence;

(*b*) To contribute to the improvement of the security conditions in which humanitarian assistance is provided, and assist in the voluntary return of refugees and internally displaced persons;

(*c*) To ensure the protection of United Nations personnel, facilities, installations and equipment;

(*d*) To ensure the security and freedom of movement of United Nations and associated personnel;

(*e*) To carry out joint patrols with the riot-control units of the national police to improve security in the event of civil disturbance;

Territorial security of the Democratic Republic of the Congo

(*f*) To observe and report in a timely manner on the position of armed movements and groups and the presence of foreign military forces in the key areas of volatility, especially by monitoring the use of landing strips and the borders, including on the lakes;

(*g*) To monitor the implementation of the measures imposed by paragraph 20 of resolution 1493 (2003) as amended and expanded by paragraph 1 of resolution 1596 (2005), in cooperation, as appropriate, with the Governments concerned and with the Group of Experts established pursuant to resolution 1533 (2004) of 12 March 2004, including by inspecting, as it deems necessary and without notice, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings in North and South Kivu and in Ituri;

(*h*) To seize or collect, as appropriate, the arms and any related materiel whose presence in the territory of the Democratic Republic of the Congo violates the measures imposed by paragraph 20 of resolution 1493 (2003) as amended and expanded by paragraph 1 of resolution 1596 (2005), and to dispose of such arms and related materiel as appropriate;

(*i*) To provide assistance, where it has a permanent presence, to the competent customs authorities of the Democratic Republic of the Congo in implementing the provisions of paragraph 10 of resolution 1596 (2005);

(*j*) To assist the Government in enhancing its demining capacity;

Disarmament and demobilization of foreign and Congolese armed groups

(*k*) To deter any attempt at the use of force to threaten the political process from any armed group, foreign or Congolese, particularly in the eastern part of the Democratic Republic of the Congo, including by using cordon and search tactics to prevent attacks on civilians and disrupt the military capability of illegal armed groups that continue to use violence in those areas;

(*l*) To support operations led by the integrated brigades of the Armed Forces of the Democratic Republic of the Congo deployed in the eastern part of the Democratic Republic of the

Congo, including by taking the steps listed in paragraphs 75 (*b*) to (*e*) of the third special report of the Secretary-General on the Mission,[218] in accordance with internationally recognized standards and norms on human rights and international humanitarian law, with a view to:

- Disarming the recalcitrant local armed groups in order to ensure their participation in the disarmament, demobilization and reintegration process and the release of children associated with those armed groups;
- Disarming the foreign armed groups in order to ensure their participation in the disarmament, demobilization, repatriation, resettlement and reintegration process and the release of children associated with those armed groups;
- Preventing the provision of support to illegal armed groups, including support derived from illicit economic activities;

(*m*) To facilitate the voluntary demobilization and repatriation of disarmed foreign combatants and their dependants;

(*n*) To contribute to the implementation of the national programme of disarmament, demobilization and reintegration of Congolese combatants and their dependants, with particular attention to children, by monitoring the disarmament process and providing, as appropriate, security in some sensitive locations, as well as supporting reintegration efforts pursued by the Congolese authorities in cooperation with the United Nations country team and bilateral and multilateral partners;

Security sector reform

(*o*) To provide, in the short term, basic training, including in the areas of human rights, international humanitarian law, child protection and the prevention of gender-based violence, to various members and units of the integrated brigades of the Armed Forces of the Democratic Republic of the Congo deployed in the eastern part of the Democratic Republic of the Congo with a view to enhancing their capacity to carry out the missions referred to in subparagraph (*l*) above;

(*p*) In coordination with international partners, to continue to develop the capacities of the Congolese National Police and related law enforcement agencies in accordance with internationally recognized standards and norms on human rights, proportionate use of force and criminal justice, including the prevention, investigation and prosecution of cases of gender-based violence, by providing technical assistance, training and mentoring support;

(*q*) In coordination with international partners, to advise the Government on strengthening the capacity of the judicial and correctional systems, including the military justice system;

(*r*) In coordination with international partners, to contribute to the efforts of the international community to assist the Government in the initial planning process of the reform of the security sector;

3. *Decides further* that the Mission shall also have the mandate, in close cooperation with the Congolese authorities, the United Nations country team and donors, to support the strengthening of democratic institutions and the rule of law in the Democratic Republic of the Congo and, to that end:

(*a*) To provide advice to strengthen democratic institutions and processes at the national, provincial, regional and local levels;

(*b*) To promote national reconciliation and internal political dialogue, including through the provision of good offices, and support the strengthening of civil society;

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[218] S/2004/650.

(*c*) To assist in the promotion and protection of human rights, with particular attention to women, children and vulnerable persons, investigate human rights violations with a view to putting an end to impunity, assist in the development and implementation of a transitional justice strategy, and cooperate in national and international efforts to bring to justice perpetrators of grave violations of human rights and international humanitarian law;

(*d*) In close coordination with international partners and the United Nations country team, to provide preliminary assistance to the Congolese authorities, including the National Independent Electoral Commission, in the organization, preparation and conduct of local elections, including the provision of advice, technical assistance and logistical support, and keep the Security Council closely informed of progress in this regard, including within the framework of the periodic reports of the Secretary-General on the Mission;

(*e*) To assist in the establishment of a secure and peaceful environment for the holding of free and transparent elections;

(*f*) To contribute to the promotion of good governance and respect for the principle of accountability;

4. *Authorizes* the Mission to use all necessary means, within the limits of its capacity and in the areas where its units are deployed, to carry out the tasks listed in paragraphs 2 (*a*) to (*e*), (*g*), (*h*), (*k*), (*l*) and (*n*), and in paragraph 3 (*e*) above;

5. *Exhorts* the democratically elected authorities to respect the space and role conferred on the opposition parties by the Constitution in order to ensure their effective participation in the national political debate, and encourages all parties to remain committed to the political process and national reconciliation in accordance with the constitutional framework and the law;

6. *Encourages* the Government and the principal partners of the Democratic Republic of the Congo to establish an effective arrangement for regular consultations promoting a political dialogue aimed at enhancing understanding by key partners of the goals and initiatives of the Government, the continuation of international involvement and concerted efforts by the country's international partners to prevent or respond to crises;

7. *Urges* the Government of the Democratic Republic of the Congo to strengthen its efforts, with the support of the international community, including specialized international organizations, with a view to effectively extending the authority of the State throughout its territory, establishing its control over the exploitation and export of natural resources, and improving the transparency of the management of the revenues from the exploitation of those natural resources;

8. *Requests* the Government, with the support of the international community, to develop, as a matter of urgency, a national security strategy and to plan and carry out security sector reform in order to establish professional security organizations in the areas of defence, the police and the administration of justice that are well managed, protect civilians and act in accordance with the Constitution and with respect for the rule of law, human rights and international humanitarian law;

9. *Calls upon* the donor community to continue to be firmly committed to the provision of the urgent assistance needed for the integration, training and equipping of the armed forces and of the national police of the Democratic Republic of the Congo as well as for the reform of the administration of justice, and urges the Government and its partners, in particular the European Union, to agree promptly on ways to coordinate their efforts and to carry out security sector reform by building on the results already achieved;

10. *Demands* that the militias and armed groups that are still present in the eastern part of the Democratic Republic of the Congo lay down their arms and engage voluntarily and without any further delay or preconditions in their demobilization, repatriation or resettlement, and reintegration;

11. *Urgently requests* the Government to develop, in close coordination with the Mission, as a matter of priority, as part of its effort to extend its authority throughout the Democratic Republic of the Congo, a plan to ensure security in the eastern part of the country, in particular by carrying out the disarmament, demobilization, repatriation or resettlement, and reintegration of foreign and Congolese combatants, and by promoting national reconciliation, recovery and development in the region;

12. *Reiterates its call upon* the Congolese authorities to put an end to impunity, including by bringing to justice without delay perpetrators of grave violations of human rights and of international humanitarian law, and to take into account, when they select candidates for official positions, including key posts in the armed forces, national police and other security services, the past actions of the candidates in terms of respect for international humanitarian law and human rights;

13. *Recalling* its resolution 1502 (2003) of 26 August 2003, reaffirms the obligation of all parties to comply fully with the relevant rules and principles of international humanitarian law relating to the protection of humanitarian and United Nations personnel, and demands that all parties concerned grant immediate, full and unimpeded access by humanitarian personnel to all persons in need of assistance, as provided for in applicable international law;

14. *Encourages* the Congolese authorities to continue their efforts, with the support of their international partners, to exercise effective, transparent and comprehensive control over State finances in order to put an end to impunity for those responsible for acts of embezzlement or corruption;

15. *Urges* all States, especially those in the region, including the Democratic Republic of the Congo itself, to take appropriate steps to end the illicit trade in natural resources, including, if necessary, through judicial means, and, where necessary, to report to the Council, and calls upon the international financial institutions to assist the Government of the Democratic Republic of the Congo in establishing effective and transparent control over the exploitation of natural resources;

16. *Demands* that all parties cooperate fully with the operations of the Mission and that they ensure the security of, as well as unhindered and immediate access for, United Nations and associated personnel in carrying out their mandate, throughout the territory of the Democratic Republic of the Congo, demands in particular that all parties provide full access to Mission military observers, including in all ports, airports, airfields, military bases and border crossings, and, in addition, that Mission human rights observers be granted access to prisons, and requests the Secretary-General to report without delay any failure to comply with these demands;

17. *Encourages* the international community to continue its support for the peace consolidation process in the Democratic Republic of the Congo;

18. *Further urges* all Governments in the region, in particular those of Burundi, the Democratic Republic of the Congo, Rwanda and Uganda, to resolve in a constructive manner their shared security and border problems and to prevent the use of their respective territories in support of violations of the arms embargo imposed by resolutions 1493 (2003) and 1596 (2005) or in support of activities of armed groups present in the region, in particular through the Tripartite Plus Joint Commission and through the implementation of the Pact on Security, Stability and Development in the Great Lakes Region which they signed on 15 December 2006, and calls upon the signatories to ratify the Pact at the earliest possible opportunity and to take the necessary measures for its prompt implementation;

19. *Welcomes* the policy of the Mission to promote and protect the rights of women and to take into account gender considerations, as set out in resolution 1325 (2000) of 31 October 2000, as a cross-cutting issue throughout its mandate and to keep the Council informed;

20. *Requests* the Secretary-General, through his Special Representative for the Democratic Republic of the Congo, to continue to coordinate all the activities of the United Nations system in the Democratic Republic of the Congo;

21. *Also requests* the Secretary-General to ensure that his Special Representative for the Democratic Republic of the Congo, his Executive Representative for Burundi and his Special Representative for the Sudan coordinate the activities of the United Nations Organization Mission in the Democratic Republic of the Congo, the United Nations Integrated Office in Burundi and the United Nations Mission in the Sudan, within their respective mandates, inter alia:

– By sharing military information at their disposal, especially information concerning cross-border movements of armed elements and arms trafficking;

– By pooling their logistic and administrative resources, to an extent that does not prejudice the ability of the two Missions and the Office to carry out their respective mandates, in order to ensure their maximum efficiency and cost-effectiveness;

– By coordinating, as appropriate, the implementation of national disarmament, demobilization, repatriation, resettlement and reintegration programmes;

22. *Expresses grave concern* at the allegations of sexual exploitation and violence by civilian and military personnel of the United Nations Organization Mission in the Democratic Republic of the Congo, takes note of the measures taken by the Mission to address instances of sexual exploitation and abuse and of the zero-tolerance policy reiterated by the Secretary-General during his recent visit to the Democratic Republic of the Congo, requests the Secretary-General to continue to fully investigate these allegations, to take the appropriate measures set out in the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse,[219] and to keep the Council informed, underlines the importance of the Mission conducting training for the personnel concerned in order to ensure full compliance with its code of conduct regarding sexual misconduct, and urges troop-contributing countries to take appropriate disciplinary and other action to ensure full accountability in cases of such misconduct involving their personnel;

23. *Requests* the Secretary-General to keep the Council informed periodically of developments in the situation in the Democratic Republic of the Congo, and to submit to the Council by 15 November 2007 a report containing benchmarks and an indicative timetable for the gradual drawdown of the Mission;

24. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5674th meeting.

Decisions

In a letter dated 11 June 2007, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Addis Ababa, Khartoum, Accra, Abidjan and Kinshasa.[220]

At its 5721st meeting, on 23 July 2007, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[221]

> "The Security Council expresses its deep concern at the deteriorating security situation in the eastern part of the Democratic Republic of the Congo, in particular in North and South Kivu. The Council is particularly concerned about the serious humanitarian consequences of

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[219] ST/SGB/2003/13.

[220] The letter, which was issued as a Security Council document under the symbol S/2007/347, has been reproduced on page 77 of the present volume.

[221] S/PRST/2007/28.

violent actions of foreign armed groups, in particular the Forces démocratiques de libération du Rwanda, and military activities of the 'mixed' brigades.

"The Council urges all actors involved to refrain from any action leading to a military confrontation that could result in further tension and aggravate the ongoing humanitarian crisis in the Kivus, and to seek a solution to the current crisis through political and diplomatic means.

"The Council calls upon the mixed brigades and their commanders to integrate into the Armed Forces of the Democratic Republic of the Congo and to stop recruiting activities. The Council condemns the recruitment of children in violation of applicable international law and urges the above-mentioned elements to release all children associated with them.

"The Council reiterates its grave concern at the continued threat that the foreign and Congolese armed groups in the eastern part of the Democratic Republic of the Congo pose to the local population and security in the region. It reiterates its demand that those groups lay down their arms and engage voluntarily and without preconditions in their demobilization, repatriation, resettlement and reintegration, as appropriate.

"The Council invites the Government to develop, in close coordination with the United Nations Organization Mission in the Democratic Republic of the Congo, a global plan to ensure security in the eastern part of the country, particularly by making further progress in the disarmament, demobilization and reintegration of Congolese combatants and the disarmament, demobilization, repatriation, resettlement and reintegration of foreign combatants, and by ending impunity, promoting reconciliation, social cohesion, recovery and development in the region. It notes with concern the significant number of internally displaced persons and emphasizes the need to reassure the population and promote effective State administration in the region. The Council welcomes the intention of the Congolese authorities to facilitate an inclusive dialogue in the Kivus and looks forward to its implementation.

"The Council encourages the Mission to continue, in conformity with its mandate, to support the integrated brigades of the Armed Forces of the Democratic Republic of the Congo with a view to disarming recalcitrant foreign and Congolese armed groups in order to ensure their participation in the disarmament, demobilization, repatriation, resettlement and reintegration process, as appropriate. It encourages the Congolese authorities to develop, in close consultation with the Mission, the necessary planning to that end and stresses that any operation which may require the support of the Mission should be jointly planned with it and in accordance with international human rights, refugee and humanitarian law. The Council requests the Secretary-General to keep it informed of this planning process. It also underlines the importance of continued efforts by the Mission, in implementing its mandate, to provide protection to civilians and contribute to the improvement of the security conditions in which humanitarian assistance is provided.

"The Council strongly encourages the Government to carry out the reform of the security sector nationwide as a matter of priority, by pursuing its efforts to consolidate the reform of the police and to integrate the armed forces. In this context, the Council acknowledges the concerted efforts of the Government and its partners towards convening a national round table on security sector reform, scheduled for October 2007 in Kinshasa.

"The Council expresses its deep concern about the recruitment of combatants, including children in violation of applicable international law, inside and outside the Democratic Republic of the Congo, especially by forces loyal to Mr. Laurent Nkunda.

"The Council urges the neighbouring States concerned to further facilitate the effective reintegration of returning former combatants and to prevent all recruiting activities within their territories. The Council recognizes that good regional relations, in particular relations between the Democratic Republic of the Congo and Rwanda, are an important factor in solving the crisis in the Kivus. It encourages both Governments to continue to cooperate to solve their common security concerns, to improve their diplomatic relations and to support the voluntary return of refugees, in consultation with the United Nations High Commissioner for Refugees.

"The Council encourages the Mission, in conformity with its mandate, to assist the Government, including through the provision of good offices, in its efforts to find a lasting solution to the crisis in the Kivus by promoting reconciliation and political dialogue."

At its 5726th meeting, on 31 July 2007, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Letter dated 16 July 2007 from the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo addressed to the President of the Security Council (S/2007/423)".

Resolution 1768 (2007)
of 31 July 2007

The Security Council,

Recalling its previous resolutions, in particular resolution 1756 (2007) of 15 May 2007,

Taking note of the final report of the Group of Experts on the Democratic Republic of the Congo established pursuant to resolution 1698 (2006) of 31 July 2006,[222]

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo, and declaring its determination to continue close monitoring of the implementation of the arms embargo imposed by resolution 1493 (2003) of 28 July 2003 and expanded by resolution 1596 (2005) of 18 April 2005, and to enforce the measures provided for in paragraphs 13 and 15 of resolution 1596 (2005) against persons and entities acting in violation of the embargo, as amended and expanded by resolutions 1649 (2005) of 21 December 2005 and 1698 (2006),

Reiterating its serious concern regarding the presence of armed groups and militias in the eastern part of the Democratic Republic of the Congo, particularly in the provinces of North and South Kivu and the Ituri district, which perpetuates a climate of insecurity in the whole region,

Taking note of the report of the Security Council mission which visited Kinshasa on 20 June 2007,[223]

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend until 10 August 2007 the measures on arms imposed by paragraph 20 of resolution 1493 (2003), as amended and expanded by paragraph 1 of resolution 1596 (2005);

2. *Decides also* to extend, for the period specified in paragraph 1 above, the measures on transport imposed by paragraphs 6, 7 and 10 of resolution 1596 (2005);

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[222] See S/2007/423.

[223] See S/2007/421 and Corr.1.

3. *Decides further* to extend, for the period specified in paragraph 1 above, the financial and travel measures imposed by paragraphs 13 and 15 of resolution 1596 (2005), paragraph 2 of resolution 1649 (2005) and paragraph 13 of resolution 1698 (2006);

4. *Decides* to extend, for the period specified in paragraph 1 above, the mandate of the Group of Experts referred to in paragraph 3 of resolution 1698 (2006);

5. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5726th meeting.

THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC[224]

Decisions

At its 5558th meeting, held in private on 30 October 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5558th meeting, held in private on 30 October 2006, the Security Council considered the item entitled 'The situation in the Central African Republic'.
>
> "The President, with the consent of the Council, invited the representative of the Central African Republic to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to General Lamine Cissé, Special Representative of the Secretary-General for the Central African Republic and Head of the United Nations Peacebuilding Support Office in the Central African Republic.
>
> "Members of the Council, General Cissé and Mr. Elie Doté, Prime Minister of the Central African Republic, had an exchange of views."

At its 5572nd meeting, on 22 November 2006, the Council decided to invite the representative of the Central African Republic to participate, without vote, in the discussion of the item entitled "The situation in the Central African Republic".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[225]

> "On 30 October 2006, the Security Council heard Mr. Elie Doté, Prime Minister of the Central African Republic, as well as General Lamine Cissé, Special Representative of the Secretary-General for the Central African Republic. It reiterated its full support for the United Nations Peacebuilding Support Office in the Central African Republic and for the United Nations staff in the Central African Republic.

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[224] Resolutions or decisions on this question have been adopted by the Security Council every year since 1997.

[225] S/PRST/2006/47.

"The Council welcomes the efforts of the Government of the Central African Republic to revive dialogue through meetings with political stakeholders and representatives of civil society. It calls upon the Secretary-General to encourage, through the United Nations Peacebuilding Support Office in the Central African Republic, the holding on a regular basis of such meetings, which are vital to restoring trust among Central Africans and promoting lasting reconciliation.

"The Council also welcomes the courageous efforts of the Government of the Central African Republic to implement the reforms advocated by the bilateral partners and international financial institutions aimed at improving the management of the national treasury, ensuring transparency in economic activities and good governance. In that regard, it calls upon the Government to continue the reforms and dialogue with its international partners with a view to restoring economic growth and reducing poverty in the country.

"The Council is deeply concerned about the deterioration of the security situation in the Central African Republic, especially in the wake of the attacks on the towns of Birao, Ouanda-Djalle and Sam Ouandja. It expresses serious concern that instability along the border areas of Chad, the Sudan and the Central African Republic represents a threat to security and stability in the Central African Republic and its neighbours, while noting that Central African defence and security forces are still unable to repel the armed groups in the northern and north-eastern parts of the country.

"The Council reaffirms its commitment to the territorial integrity of the Central African Republic. It calls for the adoption of a subregional approach to stabilize the borders of the Central African Republic. It urges the Central African authorities to expedite their efforts to restructure the armed forces and enhance their operational capabilities, and encourages the Multinational Force of the Central African Economic and Monetary Community to continue supporting the Central African armed forces beyond 30 June 2007. It notes that the Department of Peacekeeping Operations of the Secretariat has dispatched a fact-finding mission to Chad and the Central African Republic to assess how the United Nations might help those countries to address the current instability. The Council looks forward to the findings and recommendations of the mission.

"The Council requests the Secretary-General to reinforce cooperation between the United Nations and member States of the Central African Economic and Monetary Community with a view to facilitating and strengthening initiatives aimed at addressing trans-border insecurity in the subregion and bringing to an end the violations by armed groups of the territorial integrity of the Central African Republic. It also requests the Secretary-General to provide to it a report on the situation in the Central African Republic by 31 December 2006.

"The Council decides to renew the mandate of the United Nations Peacebuilding Support Office in the Central African Republic for a period of one year, until 31 December 2007, and invites the Secretary-General to submit to it the new modalities of the mission of the Office for the new period, no later than 30 November 2006."

In a letter dated 11 June 2007, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Addis Ababa, Khartoum, Accra, Abidjan and Kinshasa.[226]

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[226] The letter, which was issued as a Security Council document under the symbol S/2007/347, has been reproduced on page 77 of the present volume.

THE SITUATION IN AFRICA[227]

Decisions

At its 5525th meeting, on 15 September 2006, the Security Council considered the item entitled:

"The situation in Africa

"Briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Egeland, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

At its 5571st meeting, on 22 November 2006, the Council considered the item entitled:

"The situation in Africa

"Briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Egeland, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

At its 5655th meeting, on 4 April 2007, the Council considered the item entitled:

"The situation in Africa

"Briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

THE SITUATION BETWEEN ERITREA AND ETHIOPIA[228]

Decision

At its 5540th meeting, on 29 September 2006, the Security Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Report of the Secretary-General on Ethiopia and Eritrea (S/2006/749)".

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[227] Resolutions or decisions on this question have been adopted by the Security Council every year since 1997.

[228] Resolutions or decisions on this question have been adopted by the Security Council every year since 1998.

Resolution 1710 (2006)
of 29 September 2006

The Security Council,

Reaffirming all its previous resolutions and the statements by its President pertaining to the situation between Ethiopia and Eritrea (hereinafter referred to as the "parties") and the requirements contained therein, including in particular resolutions 1320 (2000) of 15 September 2000, 1430 (2002) of 14 August 2002, 1466 (2003) of 14 March 2003, 1640 (2005) of 23 November 2005 and 1681 (2006) of 31 May 2006,

Stressing its unwavering commitment to the peace process and to the full and expeditious implementation of the comprehensive Peace Agreement signed by the Governments of Ethiopia and Eritrea on 12 December 2000 and the preceding Agreement on Cessation of Hostilities signed on 18 June 2000 (the "Algiers Agreements"),[229] and the importance of prompt implementation of the decision of the Eritrea-Ethiopia Boundary Commission[230] as a basis for peaceful and cooperative relations between the parties,

Reaffirming the integrity of the Temporary Security Zone as provided for in the Agreement on Cessation of Hostilities of 18 June 2000, and recalling the objectives of its establishment and the commitment of the parties to respect the Zone,

Commending the efforts made by the United Nations Mission in Ethiopia and Eritrea and its military and civilian personnel to accomplish its duties, despite the difficult circumstances,

Stressing further that the full demarcation of the border between the two parties is vital to lasting peace between Ethiopia and Eritrea as well as in the region, and recalling that both parties have agreed to accept the delimitation and demarcation determinations of the Boundary Commission as final and binding,

Expressing its full support for the ongoing process, aimed at implementing the final and binding decision of the Boundary Commission,

Taking note of the statement by the Mission of 25 September 2006 on allegations against Mission staff,

Having considered the report of the Secretary-General of 19 September 2006,[231]

1. *Decides* to extend the mandate of the United Nations Mission in Ethiopia and Eritrea for a period of four months, until 31 January 2007;

2. *Reiterates its demand*, expressed in paragraph 1 of resolution 1640 (2005), that Eritrea reverse, without further delay or preconditions, all restrictions on the movement and operations of the Mission, and provide the Mission with the access, assistance, support and protection required for the performance of its duties, and in this regard expresses its deep concern at the recent expulsion of Mission personnel by Eritrea;

3. *Reiterates its call*, expressed in paragraph 2 of resolution 1640 (2005), for the parties to show maximum restraint and refrain from any threat or use of force against each other;

4. *Reiterates its demand*, expressed in paragraph 5 of resolution 1640 (2005), that Ethiopia accept fully and without delay the final and binding decision of the Eritrea-Ethiopia Boundary Commission[230] and take immediately concrete steps to enable, without preconditions, the Commission to demarcate the border completely and promptly;

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[229] S/2000/1183, annex, and S/2000/601, annex.

[230] S/2002/423, annex.

[231] S/2006/749.

5. *Regrets* the lack of progress on demarcation, calls upon both parties to cooperate fully with the Boundary Commission, including attending meetings of the Commission, stresses that the parties have primary responsibility for the implementation of the Algiers Agreements,[229] and calls again upon the parties to implement completely and without further delay or preconditions the decision of the Commission and to take concrete steps to resume the demarcation process;

6. *Demands* that the parties provide the Mission with the access, assistance, support and protection required for the performance of its duties, including its mandated task to assist the Boundary Commission in the expeditious and orderly implementation of the delimitation decision, in accordance with resolutions 1430 (2002) and 1466 (2003), and demands that any restrictions be lifted immediately;

7. *Intends*, in the event that it determines that the parties have not demonstrated progress towards demarcation by 31 January 2007, to transform or reconfigure the Mission as the Security Council may decide;

8. *Also intends* to review the situation before 30 November 2006, in order to prepare for possible changes by 31 January 2007, and to that end requests the Secretary-General to present updated options for possible changes to the mandate of the Mission;

9. *Expresses its willingness* to reconsider any changes to the Mission that it may make in accordance with paragraph 7 above in the light of subsequent progress towards demarcation, and also expresses its readiness to take further decisions to ensure that the Mission will be able to facilitate demarcation as progress becomes possible;

10. *Calls upon* Member States to provide contributions to the trust fund established pursuant to resolution 1177 (1998) of 26 June 1998 and referred to in article 4, paragraph 17, of the comprehensive Peace Agreement signed by the Governments of Ethiopia and Eritrea on 12 December 2000, in order to support the demarcation process;

11. *Expresses its deep appreciation* for the contribution and dedication of the troop-contributing countries to the work of the Mission;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5540th meeting.

Decision

At its 5626th meeting, on 30 January 2007, the Security Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Special report of the Secretary-General on Ethiopia and Eritrea (S/2006/992)

"Report of the Secretary-General on Ethiopia and Eritrea (S/2007/33)".

Resolution 1741 (2007)
of 30 January 2007

The Security Council,

Reaffirming all its previous resolutions and the statements by its President pertaining to the situation between Ethiopia and Eritrea (hereinafter referred to as the "parties") and the requirements contained therein, including in particular resolutions 1320 (2000) of 15 September 2000, 1430 (2002) of 14 August 2002, 1466 (2003) of 14 March 2003, 1640 (2005) of 23 November 2005, 1681 (2006) of 31 May 2006 and 1710 (2006) of 29 September 2006,

Stressing its unwavering commitment to the peace process and to the full and expeditious implementation of the comprehensive Peace Agreement signed by the Governments of Ethiopia and Eritrea on 12 December 2000 and the preceding Agreement on Cessation of Hostilities signed on 18 June 2000 (the "Algiers Agreements"),[229] and the importance of prompt implementation of the decision of the Eritrea-Ethiopia Boundary Commission[230] as a basis for peaceful and cooperative relations between the parties,

Reaffirming the integrity of the Temporary Security Zone as provided for in the Agreement on Cessation of Hostilities of 18 June 2000, and recalling the objectives of its establishment and the commitment of the parties to respect the Zone,

Commending the efforts made by the United Nations Mission in Ethiopia and Eritrea and its military and civilian personnel to accomplish its duties, despite the difficult circumstances,

Stressing further that the full demarcation of the border between the two parties is vital to lasting peace between Ethiopia and Eritrea as well as in the region, recalling that both parties have agreed to accept the delimitation and demarcation determinations of the Boundary Commission as final and binding, commending the efforts of the Commission to resume demarcation, and expressing its regret that the Commission, for reasons beyond its control as explained in the annexes to the report of the Secretary-General of 22 January 2007,[232] has so far been unable to complete demarcation of the boundary as planned,

Expressing its full support for the work of the Boundary Commission, and acknowledging the statement by the Commission of 27 November 2006,[233]

Having considered the special report of the Secretary-General of 15 December 2006[234] and the options on the future of the United Nations Mission in Ethiopia and Eritrea contained therein, and taking note of the report of the Secretary-General of 22 January 2007,

Recalling paragraph 7 of resolution 1710 (2006),

1. *Decides* to extend the mandate of the United Nations Mission in Ethiopia and Eritrea for a period of six months, until 31 July 2007;

2. *Approves* the reconfiguration of the military component of the Mission from the current 2,300 to 1,700 military personnel, including 230 military observers, in accordance with option I, as described in paragraphs 24 and 25 of the special report of the Secretary-General,[234] decides to maintain the current mandate and maximum authorized force levels, as stipulated in resolution 1320 (2000) and further adjusted in resolutions 1430 (2002) and 1681 (2006), and stresses the need to preserve sufficient military capacity for the Mission to implement its mandate;

3. *Reiterates its demand*, expressed in paragraph 5 of resolution 1640 (2005), that Ethiopia accept fully and without delay the final and binding decision of the Eritrea-Ethiopia Boundary Commission[230] and take immediately concrete steps to enable, without preconditions, the Commission to demarcate the border completely and promptly;

4. *Demands* that Eritrea immediately withdraw its troops and equipment from the Temporary Security Zone;

5. *Reiterates its demand*, expressed in paragraph 1 of resolution 1640 (2005), that Eritrea reverse, without further delay or preconditions, all restrictions on the movement and operations of the Mission, noting that these include the movement and operations of the acting Special Representative of the Secretary-General for Ethiopia and Eritrea, and provide the Mission with the access, assistance, support and protection required for the performance of its duties;

6. *Reiterates its call*, expressed in paragraph 2 of resolution 1640 (2005), for the parties to show maximum restraint and refrain from any threat or use of force against each other;

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[232] S/2007/33.

[233] S/2006/992, enclosure.

[234] S/2006/992.

7. *Regrets* the lack of progress on demarcation, calls upon both parties to cooperate fully with the Boundary Commission, stresses that the parties have primary responsibility for the implementation of the Algiers Agreements,[229] and calls again upon the parties to implement completely and without further delay or preconditions the decision of the Commission and to take concrete steps to resume and complete the demarcation process;

8. *Demands* that the parties provide the Mission with the access, assistance, support and protection required for the performance of its duties, including its mandated task to assist the Boundary Commission in the expeditious and orderly implementation of the delimitation decision, in accordance with resolutions 1430 (2002) and 1466 (2003), and demands that any restrictions be lifted immediately;

9. *Calls upon* the Secretary-General and the international community to engage with Eritrea and Ethiopia to help them to normalize their relations, to promote stability between the parties, and to lay the foundation for sustainable peace in the region;

10. *Expresses its willingness* to reconsider any changes to the Mission in the light of subsequent progress toward demarcation, and also expresses its readiness to take further decisions to ensure that the Mission will be able to facilitate demarcation as progress becomes possible;

11. *Calls upon* Member States to provide contributions to the trust fund established pursuant to resolution 1177 (1998) of 26 June 1998 and referred to in article 4, paragraph 17, of the comprehensive Peace Agreement signed by the Governments of Ethiopia and Eritrea on 12 December 2000, in order to support the demarcation process;

12. *Expresses its deep appreciation* for the contribution and dedication of the troop-contributing countries to the work of the Mission;

13. *Requests* the Secretary-General to include in his next progress report, due by the end of April 2007, details of the progress made towards the implementation of the present resolution and the implementation of the decision of the Boundary Commission;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5626th meeting.

Decisions

In a letter dated 11 June 2007, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Addis Ababa, Khartoum, Accra, Abidjan and Kinshasa.[235]

At its 5725th meeting, on 30 July 2007, the Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Report of the Secretary-General on Ethiopia and Eritrea (S/2007/440)".

Resolution 1767 (2007)
of 30 July 2007

The Security Council,

Reaffirming all its previous resolutions and the statements by its President pertaining to the situation between Ethiopia and Eritrea (hereinafter referred to as the "parties") and the requirements contained therein, including in particular resolutions 1320 (2000) of 15 September 2000, 1430 (2002) of 14 August 2002, 1466 (2003) of 14 March 2003, 1640 (2005) of 23 November 2005, 1681 (2006) of 31 May 2006, 1710 (2006) of 29 September 2006 and 1741 (2007) of 30 January 2007,

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[235] The letter, which was issued as a Security Council document under the symbol S/2007/347, has been reproduced on page 77 of the present volume.

Stressing once again its unwavering commitment to the peace process and to the full and expeditious implementation of the comprehensive Peace Agreement signed by the Governments of Ethiopia and Eritrea on 12 December 2000 and the preceding Agreement on Cessation of Hostilities signed on 18 June 2000 (the "Algiers Agreements"),[229] and the importance of prompt implementation of the delimitation decision of the Eritrea-Ethiopia Boundary Commission[230] as a basis for peaceful and cooperative relations between the parties,

Reaffirming the integrity of the Temporary Security Zone as provided for in the Agreement on Cessation of Hostilities of 18 June 2000, recalling the objectives of its establishment and the commitment of the parties to respect the Zone, and in this regard, expressing deep concern over the continuing serious violations of the Zone,

Underlining that the Security Council remains committed to its role, in particular helping to ensure that the parties respect the commitments they made in the Agreement on Cessation of Hostilities,

Commending the efforts made by the United Nations Mission in Ethiopia and Eritrea and its military and civilian personnel to accomplish its duties, despite the difficult circumstances,

Stressing further that the full demarcation of the border between the two parties is vital to lasting peace between Ethiopia and Eritrea as well as in the region, recalling that both parties, under the Peace Agreement of 12 December 2000, have agreed to cooperate with the Boundary Commission in the delimitation and demarcation process and that they have also agreed that the delimitation and demarcation determinations of the Commission will be final and binding, commending the efforts of the Commission to resume demarcation, and expressing its regret that the Commission, for reasons beyond its control as explained in the annexes to the report of the Secretary-General of 22 January 2007,[232] has so far been unable to demarcate the boundary as planned,

Acknowledging the statement by the Boundary Commission of 27 November 2006,[233]

Reaffirming its full support for the work of the Boundary Commission, and welcoming the decision of the Commission to convene a meeting with the parties in New York on 6 September 2007,

Expressing its deep concern over the continued delay in the demarcation of the border and over the continued tense and potentially unstable security situation in the Temporary Security Zone and the adjacent areas, and stressing that it is the primary responsibility of the parties to end this situation by fulfilling expeditiously their obligations under the Algiers Agreements,

Having considered the report of the Secretary-General of 18 July 2007,[236]

1. *Decides* to extend the mandate of the United Nations Mission in Ethiopia and Eritrea for a period of six months, until 31 January 2008;

2. *Calls upon* the parties to maintain their full commitment to the Agreement on Cessation of Hostilities of 18 June 2000 and to de-escalate the situation, including by returning to the 16 December 2004 levels of deployment and by avoiding provocative military activities;

3. *Reiterates its call*, expressed in paragraph 2 of resolution 1640 (2005), for the parties to show maximum restraint and refrain from any threat or use of force against each other, and also reiterates its call to put an end to the exchange of hostile statements;

4. *Reiterates its demands* that Eritrea immediately withdraw its troops and heavy military equipment from the Temporary Security Zone;

5. *Calls upon* Ethiopia to reduce the number of additional military forces recently introduced in certain areas adjacent to the Temporary Security Zone;

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[236] S/2007/440.

6. *Regrets* the lack of progress on demarcation, stresses that the parties have the primary responsibility for the implementation of the Algiers Agreements,[229] and again calls upon the parties to implement completely and without further delay or preconditions the delimitation decision of the Eritrea-Ethiopia Boundary Commission[230] and to take concrete steps to resume and complete the demarcation process, including agreeing on a time frame for possible next steps;

7. *Stresses* the need for progress on demarcation, reiterates its call upon both parties to cooperate fully with the Boundary Commission, including participating constructively and with sufficient authority in the meeting to be convened by the Commission in New York on 6 September 2007, and underlines the importance of this meeting;

8. *Welcomes* the letter dated 8 June 2007 from the Minister for Foreign Affairs of Ethiopia to the President of the Security Council reiterating that the Government of Ethiopia had accepted the delimitation decision of the Boundary Commission without preconditions,[237] and reiterates its demand, expressed in paragraph 5 of resolution 1640 (2005), that Ethiopia immediately take concrete steps to enable, without preconditions, the Commission to demarcate the border expeditiously;

9. *Demands* that the parties provide the Mission with the access, assistance, support and protection required for the performance of its duties, including its mandated task to assist the Boundary Commission in the expeditious and orderly implementation of the delimitation decision, in accordance with resolutions 1430 (2002) and 1466 (2003), and demands that any restrictions be lifted immediately, including those restrictions specified in the report of the Secretary-General of 18 July 2007;[236]

10. *Reiterates its demand*, expressed in paragraph 1 of resolution 1640 (2005), that Eritrea reverse, without further delay or preconditions, all restrictions on the movement and operations of the Mission, and provide the Mission with the cooperation, access, protection and support required for the performance of its duties;

11. *Reiterates its call* to both parties to fully cooperate with the Mission with a view to urgently reactivating the work of the Military Coordination Commission, which remains a unique forum to discuss pressing military and security issues;

12. *Expresses its willingness* to reconsider any changes to the Mission in the light of subsequent progress toward demarcation, and also expresses its readiness to take further decisions to ensure that the Mission will be able to facilitate demarcation as progress becomes possible;

13. *Welcomes and looks forward* to the continuation of the ongoing efforts of the Secretary-General and the international community to engage with Eritrea and Ethiopia to help them to normalize their relations, to promote stability between the parties and to lay the foundation for sustainable peace in the region;

14. *Welcomes* the ongoing efforts of the Secretary-General towards the earliest appointment of a Special Representative for Ethiopia and Eritrea;

15. *Calls upon* Member States to provide contributions to the trust fund, established pursuant to resolution 1177 (1998) of 26 June 1998 and referred to in article 4, paragraph 17, of the comprehensive Peace Agreement signed by Ethiopia and Eritrea on 12 December 2000, in order to support the demarcation process;

16. *Expresses its deep appreciation* for the contribution and dedication of the troop-contributing countries to the work of the Mission;

17. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5725th meeting.

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[237] S/2007/350, annex.

CHILDREN AND ARMED CONFLICT[238]

Decisions

At its 5573rd meeting, on 28 November 2006, the Security Council decided to invite the representatives of Australia, Bangladesh, Benin, Brazil, Canada, Colombia, Egypt, Finland, Guatemala, Honduras, Indonesia, Iraq, Israel, Lebanon, Liechtenstein, Myanmar, Nepal, New Zealand, Norway, Slovenia, South Africa, Sri Lanka, Thailand and Uganda to participate, without vote, in the discussion of the item entitled:

"Children and armed conflict

> "Report of the Secretary-General on children and armed conflict (S/2006/826 and Corr.1)".[239]

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Radhika Coomaraswamy, Special Representative of the Secretary-General for Children and Armed Conflict, and Ms. Ann M. Veneman, Executive Director of the United Nations Children's Fund.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Gabriel Oling Olang, representative of Save the Children.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[240]

> "The Security Council takes note with appreciation of the sixth report of the Secretary-General on children and armed conflict[241] and the positive developments in the implementation of its resolution 1612 (2005), in particular in the five following areas:
>
> > "The Council takes note with appreciation of the first reports of the monitoring and reporting mechanism on children and armed conflict and welcomes the increasing awareness by some parties to armed conflicts of its relevant decisions as well as the development by those parties of action plans to end the recruitment and use of child soldiers in violation of applicable international law;
> >
> > "The Council commends the work carried out to that effect by the Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Radhika Coomaraswamy, including her field activities in situations of armed conflict;
> >
> > "The Council also commends the work carried out by the United Nations Children's Fund and the child protection advisers of peacekeeping operations in cooperation with other relevant United Nations entities;
> >
> > "The Council welcomes the cooperation extended to the Special Representative, the United Nations Children's Fund and child protection advisers by some parties to

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[238] Resolutions or decisions on this question have been adopted by the Security Council every year since 1998.

[239] Afghanistan did not submit a request to be invited to participate; its listing in S/PV.5573 was a technical error.

[240] S/PRST/2006/48.

[241] S/2006/826 and Corr.1.

> armed conflicts in the preparation and implementation of action plans to halt the recruitment and use of children in violation of applicable international law;
>
> "The Council welcomes the sustained activity of its Working Group on Children and Armed Conflict and its recommendations, and invites it to continue proposing effective recommendations based on timely, objective, accurate and reliable information for consideration and, where appropriate, implementation by the Council.

"The Council welcomes the steps taken by national, international and 'mixed' criminal courts and tribunals against those who are alleged to have committed grave violations against children in situations of armed conflict in violation of applicable international law.

"However, the Council strongly condemns the continuing recruitment and use of children in armed conflict in violation of applicable international law, the killing and maiming of children, rape and other sexual violence, abductions, the denial of humanitarian access to children and attacks against schools and hospitals by parties to armed conflict.

"On those bases, the Council reiterates its primary responsibility for the maintenance of international peace and security and, in this connection, its commitment to address the widespread impact of armed conflict on children and its determination to ensure respect for and continued implementation of resolution 1612 (2005) and all its previous resolutions on children and armed conflict, including its intention to act, if needed, in accordance with paragraph 9 of resolution 1612 (2005).

"The Council takes note of the report of the independent review of the monitoring and reporting mechanism for children and armed conflict as called for in resolution 1612 (2005).

"The Council reiterates its invitation to relevant States affected by armed conflict that are not yet involved in the implementation of the monitoring and reporting mechanism to join it on a voluntary basis, in cooperation with the Special Representative and the United Nations Children's Fund.

"The Council also reiterates its call upon relevant parties to armed conflict that have not already done so to prepare and implement, as a matter of priority, concrete time-bound action plans to halt the recruitment and use of children in violation of applicable international law, as called for in Council resolution 1539 (2004).

"The Council requests the Secretary-General to submit by February 2008 a report on further progress in the implementation of resolution 1612 (2005) and its previous resolutions on children and armed conflict which would include:

> "Information on compliance by parties to armed conflicts in ending the recruitment or use of children in armed conflict in violation of applicable international law and other violations being committed against children affected by armed conflict;
>
> "Information on progress made in the implementation of the monitoring and reporting mechanism;
>
> "Information on progress made in the development and implementation of the action plans referred to in paragraph 7 of resolution 1612 (2005);
>
> "Information on the mainstreaming of child protection in United Nations peacekeeping operations."

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994[242]

Decision

At its 5518th meeting, on 29 August 2006, the Security Council considered the item entitled:

> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994
>
>> "Letter dated 25 August 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/688)".

Resolution 1705 (2006)
of 29 August 2006

The Security Council,

Taking note of the letter dated 25 August 2006 from the Secretary-General to the President of the Security Council,[243]

Decides that, notwithstanding article 12 ter of the statute of the International Criminal Tribunal for Rwanda, and notwithstanding the fact that Judge Solomy Balungi Bossa's elected term as an ad litem judge of the Tribunal will, in accordance with article 12 ter of the statute of the Tribunal, end on 24 June 2007, she shall be authorized, effective 28 August 2006, to continue to serve as a judge in the *Butare* case until its completion.

Adopted unanimously at the 5518th meeting.

Decision

At its 5550th meeting, on 13 October 2006, the Security Council considered the item entitled:

> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994
>
>> "Letter dated 2 October 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/799)".

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[242] Resolutions or decisions on this question were also adopted by the Security Council in 1998, 1999, 2001 to 2004 and during the period from 1 January to 31 July 2006.

[243] S/2006/688.

Resolution 1717 (2006)
of 13 October 2006[244]

The Security Council,

Recalling its resolutions 955 (1994) of 8 November 1994, 1165 (1998) of 30 April 1998, 1329 (2000) of 30 November 2000, 1411 (2002) of 17 May 2002, 1431 (2002) of 14 August 2002, 1449 (2002) of 13 December 2002, 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004,

Recalling also that on 25 June 2003 the General Assembly, by its decision 57/414 C and in accordance with article 12 ter, paragraph 1 (*d*), of the statute of the International Criminal Tribunal for Rwanda, elected from a list of candidates approved by the Security Council the following eighteen ad litem judges to a four-year term of office beginning on 25 June 2003 and ending on 24 June 2007: Mr. Aydin Sefa Akay (Turkey), Ms. Florence Rita Arrey (Cameroon), Ms. Solomy Balungi Bossa (Uganda), Mr. Robert Fremr (Czech Republic), Ms. Taghreed Hikmat (Jordan), Ms. Karin Hökborg (Sweden), Mr. Vagn Joensen (Denmark), Mr. Gberdao Gustave Kam (Burkina Faso), Tan Sri Dato' Hj. Mohd. Azmi Dato' Hj. Kamaruddin (Malaysia), Ms. Flavia Lattanzi (Italy), Mr. Kenneth Machin (United Kingdom of Great Britain and Northern Ireland), Mr. Joseph Edward Chiondo Masanche (United Republic of Tanzania), Mr. Lee Gacuiga Muthoga (Kenya), Mr. Seon Ki Park (Republic of Korea), Mr. Mparany Mamy Richard Rajohnson (Madagascar), Mr. Emile Francis Short (Ghana), Mr. Albertus Henricus Joannes Swart (Netherlands), and Ms. Aura E. Guerra de Villalaz (Panama),

Recalling further that the Council, by its resolution 1684 (2006) of 13 June 2006, extended the terms of eleven permanent judges serving at the Tribunal until 31 December 2008,

Recalling that the Council, by its resolution 1705 (2006) of 29 August 2006, decided, notwithstanding the provisions of article 12 ter of the statute of the Tribunal, and notwithstanding the fact that Judge Bossa's elected term as an ad litem judge of the Tribunal will end on 24 June 2007, to authorize her, effective 28 August 2006, to continue to serve as a judge in the *Butare* case until its completion,

Taking note of the letter dated 2 October 2006 from the Secretary-General to the President of the Security Council,[245]

1. *Decides*, in response to the request of the Secretary-General and notwithstanding the provisions of article 12 ter of the statute of the International Criminal Tribunal for Rwanda, to extend until 31 December 2008 the term of office of the following ad litem judges of the Tribunal who were elected on 25 June 2003:

- Mr. Aydin Sefa Akay (Turkey)
- Ms. Florence Rita Arrey (Cameroon)
- Ms. Solomy Balungi Bossa (Uganda)
- Mr. Robert Fremr (Czech Republic)
- Ms. Taghreed Hikmat (Jordan)
- Ms. Karin Hökborg (Sweden)
- Mr. Vagn Joensen (Denmark)
- Mr. Gberdao Gustave Kam (Burkina Faso)
- Tan Sri Dato' Hj. Mohd. Azmi Dato' Hj. Kamaruddin (Malaysia)

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[244] By a letter dated 13 October 2006 (A/61/548), the President of the Security Council transmitted the text of resolution 1717 (2006) to the President of the General Assembly.

[245] S/2006/799.

- Ms. Flavia Lattanzi (Italy)
- Mr. Kenneth Machin (United Kingdom of Great Britain and Northern Ireland)
- Mr. Joseph Edward Chiondo Masanche (United Republic of Tanzania)
- Mr. Lee Gacuiga Muthoga (Kenya)
- Mr. Seon Ki Park (Republic of Korea)
- Mr. Mparany Mamy Richard Rajohnson (Madagascar)
- Mr. Emile Francis Short (Ghana)
- Mr. Albertus Henricus Joannes Swart (Netherlands)
- Ms. Aura E. Guerra de Villalaz (Panama)

2. *Decides also*, in response to the request of the Secretary-General, to allow ad litem Judges Arrey, Bossa, Hikmat, Hökborg, Kam, Lattanzi, Muthoga, Park and Short to serve in the Tribunal beyond the cumulative period of service provided for under article 12 ter of the statute and until 31 December 2008;

3. *Requests* States to continue to make every effort to ensure that their nationals who were elected as ad litem judges of the Tribunal remain available to serve until 31 December 2008;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 5550th meeting.

THE SITUATION IN GUINEA-BISSAU[246]

Decisions

On 5 October 2006, the President of the Security Council addressed the following letter to the Secretary-General:[247]

> "I have the honour to inform you that your letter dated 2 October 2006 concerning your intention to designate Mr. Shola Omoregie, of Nigeria, as your Representative in Guinea-Bissau and Head of the United Nations Peacebuilding Support Office in Guinea-Bissau[248] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 13 December 2006, the President of the Security Council addressed the following letter to the Secretary-General:[249]

> "I have the honour to inform you that your letter dated 8 December 2006 concerning your recommendation that the mandate of the United Nations Peacebuilding Support Office in Guinea-Bissau be extended to 31 December 2007[250] has been brought to the attention of the members of the Security Council. They take note of the information and proposal contained in your letter."

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[246] Resolutions or decisions on this question have been adopted by the Security Council every year since 1998.

[247] S/2006/791.

[248] S/2006/790.

[249] S/2006/975.

[250] S/2006/974.

PROTECTION OF CIVILIANS IN ARMED CONFLICT[251]

Decisions

At its 5577th meeting, on 4 December 2006, the Security Council decided to invite the representatives of Canada, Colombia, Finland, Israel, Lebanon, Myanmar and Norway to participate, without vote, in the discussion of the item entitled "Protection of civilians in armed conflict".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Egeland, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

At its 5613th meeting, on 23 December 2006, the Council considered the item entitled "Protection of civilians in armed conflict".

Resolution 1738 (2006)
of 23 December 2006

The Security Council,

Bearing in mind its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, and underlining the importance of taking measures aimed at conflict prevention and resolution,

Reaffirming its resolutions 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000 and 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict and its resolution 1502 (2003) of 26 August 2003 on the protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones, as well as other relevant resolutions and statements by its President,

Reaffirming its commitment to the purposes of the Charter as set out in Article 1, paragraphs 1 to 4, thereof, and to the principles of the Charter as set out in Article 2, paragraphs 1 to 7, thereof, including its commitment to the principles of the political independence, sovereign equality and territorial integrity of all States, and respect for the sovereignty of all States,

Reaffirming that parties to an armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of affected civilians,

Recalling the Geneva Conventions of 12 August 1949,[252] in particular the Third Geneva Convention, on the treatment of prisoners of war, and the Additional Protocols to the Conventions, of 8 June 1977,[253] in particular article 79 of Additional Protocol I regarding the protection of journalists engaged in dangerous professional missions in areas of armed conflict,

Emphasizing that there are existing prohibitions under international humanitarian law against attacks intentionally directed against civilians, as such, which in situations of armed conflict constitute war crimes, and recalling the need for States to end impunity for such criminal acts,

Recalling that the States parties to the Geneva Conventions have an obligation to search for persons alleged to have committed or to have ordered to be committed a grave breach of these Conventions, and an obligation to try them before their own courts, regardless of their nationality, or may hand them over for trial to another concerned State provided that this State has made out a prima facie case against the said persons,

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[251] Resolutions or decisions on this question have been adopted by the Security Council every year since 1999.

[252] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[253] Ibid., vol. 1125, Nos. 17512 and 17513.

Drawing the attention of all States to the full range of justice and reconciliation mechanisms, including national, international and "mixed" criminal courts and tribunals and truth and reconciliation commissions, and noting that such mechanisms can promote not only individual responsibility for serious crimes, but also peace, truth, reconciliation and the rights of the victims,

Recognizing the importance of a comprehensive, coherent and action-oriented approach, including in early planning, of protection of civilians in situations of armed conflict, and stressing, in this regard, the need to adopt a broad strategy of conflict prevention which addresses the root causes of armed conflict in a comprehensive manner in order to enhance the protection of civilians on a long-term basis, including by promoting sustainable development, poverty eradication, national reconciliation, good governance, democracy, the rule of law and respect for and protection of human rights,

Deeply concerned at the frequency of acts of violence in many parts of the world against journalists, media professionals and associated personnel in armed conflict, in particular, deliberate attacks in violation of international humanitarian law,

Recognizing that the consideration of the issue of the protection of journalists in armed conflict by the Security Council is based on the urgency and importance of this issue, and recognizing the valuable role that the Secretary-General can play in providing more information on this issue,

1. *Condemns* intentional attacks against journalists, media professionals and associated personnel, as such, in situations of armed conflict, and calls upon all parties to put an end to such practices;

2. *Recalls*, in this regard, that journalists, media professionals and associated personnel engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians and shall be respected and protected as such, provided that they take no action adversely affecting their status as civilians. This is without prejudice to the right of war correspondents accredited to the armed forces to the status of prisoners of war provided for in article 4.A, paragraph 4, of the Third Geneva Convention of 12 August 1949;[254]

3. *Recalls also* that media equipment and installations constitute civilian objects, and in this respect shall not be the object of attack or of reprisals, unless they are military objectives;

4. *Reaffirms its condemnation* of all incitements to violence against civilians in situations of armed conflict, further reaffirms the need to bring to justice, in accordance with applicable international law, individuals who incite such violence, and indicates its willingness, when authorizing missions, to consider, where appropriate, steps in response to media broadcasts inciting genocide, crimes against humanity and serious violations of international humanitarian law;

5. *Recalls its demand* that all parties to an armed conflict comply fully with the obligations applicable to them under international law related to the protection of civilians in armed conflict, including journalists, media professionals and associated personnel;

6. *Urges* States and all other parties to an armed conflict to do their utmost to prevent violations of international humanitarian law against civilians, including journalists, media professionals and associated personnel;

7. *Emphasizes* the responsibility of States to comply with the relevant obligations under international law to end impunity and to prosecute those responsible for serious violations of international humanitarian law;

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[254] Ibid., vol. 75, No. 972.

8. *Urges* all parties involved in situations of armed conflict to respect the professional independence and rights of journalists, media professionals and associated personnel as civilians;

9. *Recalls* that the deliberate targeting of civilians and other protected persons, and the commission of systematic, flagrant and widespread violations of international humanitarian and human rights law in situations of armed conflict may constitute a threat to international peace and security, and reaffirms in this regard its readiness to consider such situations and, where necessary, to adopt appropriate steps;

10. *Invites* States which have not yet done so to consider becoming parties to Additional Protocols I and II to the Geneva Conventions, of 8 June 1977[253] at the earliest possible date;

11. *Affirms* that it will address the issue of the protection of journalists in armed conflict strictly under the agenda item entitled "Protection of civilians in armed conflict";

12. *Requests* the Secretary-General to include as a sub-item in his next reports on the protection of civilians in armed conflict the issue of the safety and security of journalists, media professionals and associated personnel.

Adopted unanimously at the 5613th meeting.

Decisions

At its 5703rd meeting, on 22 June 2007, the Security Council decided to invite the representatives of Argentina, Canada, Colombia, Germany, Guatemala, Israel, Japan, Liechtenstein, Mexico, Myanmar, Nigeria, the Republic of Korea and Rwanda to participate, without vote, in the discussion of the item entitled "Protection of civilians in armed conflict".[255]

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

SMALL ARMS[256]

Decisions

At its 5709th meeting, on 29 June 2007, the Security Council considered the item entitled "Small arms".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[257]

> "The Security Council recalls its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security. In this regard the Council recognizes that the illicit trade in small arms and light weapons in all its aspects has hampered the peaceful settlement of disputes, fuelled such disputes into armed conflict, and contributed to the prolongation of such armed conflicts.
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> "The Council notes with grave concern that the destabilizing accumulation and illicit manufacture, trade and circulation of small arms and light weapons in many regions of the

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[255] Tunisia did not submit a request to be invited to participate; its listing in S/PV.5703 was a technical error.

[256] Resolutions or decisions on this question were also adopted by the Security Council in 1999, 2001, 2002, 2004, 2005 and during the period from 1 January to 31 July 2006.

[257] S/PRST/2007/24.

world increases the intensity and duration of armed conflicts, undermines the sustainability of peace agreements, impedes the success of peacebuilding, frustrates efforts aimed at the prevention of armed conflict, hinders considerably the provision of humanitarian assistance, and compromises the effectiveness of the Council in discharging its primary responsibility for the maintenance of international peace and security.

"The Council reaffirms the inherent right to individual or collective self-defence consistent with Article 51 of the Charter.

"The Council notes the report of the Secretary-General to the Council of 17 February 2006 entitled 'Small arms',[258] and recalls the statements by its President of 24 September 1999,[259] 31 August 2001,[260] 31 October 2002,[261] 19 January 2004[262] and 17 February 2005.[263]

"The Council underlines the need to address this issue and, in this regard, requests the Secretary-General to submit to the Council on a biennial basis, beginning in 2008, a report on small arms containing his analysis, observations and recommendations, as well as his observations on the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[264] to facilitate its further consideration of the matter.

"The Council stresses the need to implement the Programme of Action and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons,[265] in order to make real progress in preventing, combating and eradicating the illicit trade in small arms and light weapons. In particular, States are encouraged to strengthen physical security and stockpile management, destroy surplus and obsolete small arms and light weapons, ensure that all small arms and light weapons are marked at the time of manufacture and import, and strengthen export and border controls and control brokering activities.

"The Council encourages increased efforts to end the illicit trade in small arms and light weapons at the national, regional and international levels.

"The Council calls upon all Member States to abide by their obligations to observe the arms embargoes established under relevant Council resolutions."

GENERAL ISSUES RELATING TO SANCTIONS[266]

Decision

At its 5507th meeting, on 8 August 2006, the Security Council considered the item entitled "General issues relating to sanctions".

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[258] S/2006/109.

[259] S/PRST/1999/28.

[260] S/PRST/2001/21.

[261] S/PRST/2002/30.

[262] S/PRST/2004/1.

[263] S/PRST/2005/7.

[264] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[265] A/60/88 and Corr.2, annex; see also General Assembly decision 60/519.

[266] Resolutions or decisions on this question were also adopted by the Security Council in 2000, 2001 and 2003.

Resolution 1699 (2006)
of 8 August 2006

The Security Council,

Recalling its resolution 1617 (2005) of 29 July 2005, in which it requested increased cooperation between INTERPOL and the Security Council Committee established pursuant to resolution 1267 (1999) ("the 1267 Committee"),

Recalling also the cooperation agreement of 8 July 1997 between the United Nations and INTERPOL,[267] and the exchange of letters dated 8 December 2005 and 5 January 2006 supplementing the agreement,

Welcoming the constructive role that INTERPOL has played to help the 1267 Committee to fulfil its mandate, inter alia, through the creation of the INTERPOL-United Nations Security Council Special Notices,

Noting that such cooperation with INTERPOL could also benefit the other sanctions committees established by the Security Council ("the Committees"), further noting that each committee might come up with its own conclusion in this regard,

Stressing that Security Council sanctions measures are often implemented under national law, including criminal law where applicable, and that enhanced cooperation between the United Nations and INTERPOL would enhance the enforcement by States of those laws,

Emphasizing the obligations placed upon all Member States to implement, in full, the mandatory measures adopted by the Security Council,

1. *Requests* the Secretary-General to take the necessary steps to increase cooperation between the United Nations and INTERPOL in order to provide the Committees with better tools to fulfil their mandates more effectively and to give Member States better optional tools to implement those measures adopted by the Security Council and monitored by the Committees, as well as similar measures that may be adopted by the Council in the future, particularly the freezing of assets, travel bans and arms embargoes;

2. *Encourages* Member States to use the tools offered by INTERPOL, particularly the I-24/7 global police communications system, to reinforce the implementation of such measures and similar measures that may be adopted by the Security Council in the future;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 5507th meeting.

Decision

At its 5599th meeting, on 19 December 2006, the Security Council considered the item entitled "General issues relating to sanctions".

Resolution 1730 (2006)
of 19 December 2006

The Security Council,

Recalling the statement by its President of 22 June 2006,[268]

Emphasizing that sanctions are an important tool in the maintenance and restoration of international peace and security,

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[267] United Nations, *Treaty Series*, vol. 1996, No. 1200.

[268] S/PRST/2006/28.

Further emphasizing the obligations placed upon all Member States to implement, in full, the mandatory measures adopted by the Security Council,

Continuing in its resolve to ensure that sanctions are carefully targeted in support of clear objectives and implemented in ways that balance effectiveness against possible adverse consequences,

Committed to ensuring that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions,

1. *Adopts* the de-listing procedure set forth in the annex to the present resolution, and requests the Secretary-General to establish within the Secretariat (Security Council Subsidiary Organs Branch), a focal point to receive de-listing requests and to perform the tasks described in the annex;

2. *Directs* the sanctions committees established by the Security Council, including those established pursuant to resolutions 751 (1992), 918 (1994), 1132 (1997), 1267 (1999), 1518 (2003), 1521 (2003), 1533 (2004), 1572 (2004), 1591 (2005), 1636 (2005) and 1718 (2006), to revise their guidelines accordingly;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 5599th meeting.

Annex

De-listing procedure

The Security Council requests the Secretary-General to establish, within the Secretariat (Security Council Subsidiary Organs Branch), a focal point to receive de-listing requests. Petitioners seeking to submit a request for de-listing can do so either through the focal point process outlined below or through their State of residence or citizenship.[269]

The focal point will perform the following tasks:

1. Receive de-listing requests from a petitioner (individual(s), groups, undertakings and/or entities on the Sanctions Committee's lists).

2. Verify if the request is new or is a repeated request.

3. If it is a repeated request and if it does not contain any additional information, return it to the petitioner.

4. Acknowledge receipt of the request to the petitioner and inform the petitioner on the general procedure for processing that request.

5. Forward the request, for their information and possible comments, to the designating government(s) and to the government(s) of citizenship and residence. Those governments are encouraged to consult with the designating government(s) before recommending de-listing. To this end, they may approach the focal point, which, if the designating State(s) so agree(s), will put them in contact with the designating State(s).

6. (*a*) If, after these consultations, any of these governments recommend de-listing, that government will forward its recommendation, either through the focal point or directly to the Chairman of the Sanctions Committee, accompanied by that government's explanation. The Chairman will then place the de-listing request on the Committee's agenda.

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[269] A State can decide that, as a rule, its citizens or residents should address their de-listing requests directly to the focal point. The State will do so by a declaration addressed to the Chairman of the Committee that will be published on the Committee's website.

(*b*) If any of the governments which were consulted on the de-listing request under paragraph 5 above oppose the request, the focal point will so inform the Committee and provide copies of the de-listing request. Any member of the Committee which possesses information in support of the de-listing request is encouraged to share such information with the governments that reviewed the de-listing request under paragraph 5 above.

(*c*) If, after a reasonable time (3 months), none of the governments which reviewed the de-listing request under paragraph 5 above comment, or indicate that they are working on the de-listing request to the Committee and require an additional definite period of time, the focal point will so notify all members of the Committee and provide copies of the de-listing request. Any member of the Committee may, after consultation with the designating government(s), recommend de-listing by forwarding the request to the Chairman of the Sanctions Committee, accompanied by an explanation. (Only one member of the Committee needs to recommend de-listing in order to place the issue on the Committee's agenda.) If after one month, no Committee member recommends de-listing, then it shall be deemed rejected and the Chairman of the Committee shall inform the focal point accordingly.

7. The focal point shall convey all communications which it receives from Member States to the Committee for its information.

8. Inform the petitioner:

(*a*) Of the decision of the Sanctions Committee to grant the de-listing petition; or

(*b*) That the process of consideration of the de-listing request within the Committee has been completed and that the petitioner remains on the list of the Committee.

Decision

At its 5605th meeting, on 21 December 2006, the Security Council considered the item entitled "General issues relating to sanctions".

Resolution 1732 (2006)
of 21 December 2006

The Security Council

1. *Welcomes* the report of the Informal Working Group on General Issues of Sanctions,[270] established pursuant to paragraph 3 of the note by the President of the Security Council dated 17 April 2000;[271]

2. *Decides* that the Working Group has fulfilled its mandate as contained in the note by the President of the Security Council dated 29 December 2005,[272] to develop general recommendations on how to improve the effectiveness of United Nations sanctions;

3. *Takes note with interest* of the best practices and methods contained in the report of the Working Group, and requests its subsidiary bodies to take note as well.

Adopted unanimously at the 5605th meeting.

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[270] See S/2006/997. The document has been reproduced on page 295 of the present volume.

[271] S/2000/319.

[272] S/2005/841.

WOMEN AND PEACE AND SECURITY[273]

Decisions

At its 5556th meeting, on 26 October 2006, the Security Council decided to invite the representatives of Australia, Bangladesh, Canada, Colombia, Comoros, Croatia, Egypt, El Salvador, Fiji, Finland, Germany, Guatemala, Guinea, Iceland, Indonesia, Israel, Kenya, Lesotho, Liechtenstein, Myanmar, the Netherlands, Norway, Papua New Guinea, Slovenia, South Africa, Spain, the Sudan, Sweden and Uganda to participate, without vote, in the discussion of the item entitled:

"Women and peace and security

"Report of the Secretary-General on women, peace and security (S/2006/770)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Rachel Mayanja, Special Adviser to the Secretary-General on Gender Issues and Advancement of Women, Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, Ms. Noeleen Heyzer, Executive Director of the United Nations Development Fund for Women, and Ms. Carolyn McAskie, Assistant Secretary-General in the Peacebuilding Support Office.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mrs. Christine Miturumbwe, Coordinator of the Dushirehamwe Association, and Ms. Maria Dias, President of Rede Feto.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[274]

> "The Security Council reaffirms its commitment to the full and effective implementation of resolution 1325 (2000) and recalls the statements by its President of 31 October 2001,[275] 31 October 2002,[276] 28 October 2004[277] and 27 October 2005,[278] as reiterating that commitment.
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> "The Council recalls the 2005 World Summit Outcome,[279] the Beijing Declaration and Platform for Action,[280] the outcomes of the twenty-third special session of the General Assembly[281] and the declaration of the Commission on the Status of Women at its forty-ninth session on the occasion of the tenth anniversary of the Fourth World Conference on Women.[282]
>
> "The Council recognizes the vital roles of and contributions by women in consolidating peace. The Council welcomes the progress made in increasing the participation of women in decision-making in several countries emerging from conflict and

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[273] Resolutions or decisions on this question have been adopted by the Security Council every year since 2000.

[274] S/PRST/2006/42.

[275] S/PRST/2001/31.

[276] S/PRST/2002/32.

[277] S/PRST/2004/40.

[278] S/PRST/2005/52.

[279] See General Assembly resolution 60/1.

[280] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[281] General Assembly resolution S-23/2, annex, and resolution S-23/3, annex.

[282] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

requests the Secretary-General to collect and compile good practices and lessons learned and identify remaining gaps and challenges in order to further promote the efficient and effective implementation of resolution 1325 (2000).

"The Council recognizes that the protection and empowerment of women and support for their networks and initiatives are essential in the consolidation of peace to promote the equal and full participation of women and to improve their human security, and encourages Member States, donors and civil society to provide support in this respect.

"The Council recognizes the importance of integrating gender perspectives into institutional reform in post-conflict countries at both the national and the local levels. The Council encourages Member States in post-conflict situations to ensure that gender perspectives are mainstreamed into institutional reform, ensuring that the reforms, in particular of the security sector, justice institutions and restoration of the rule of law, provide for the protection of women's rights and safety. The Council also requests the Secretary-General to ensure that United Nations assistance in this context appropriately addresses the needs and priorities of women in the post-conflict process.

"The Council requests the Secretary-General to ensure that disarmament, demobilization and reintegration programmes take specific account of the situation of women ex-combatants and women associated with combatants, as well as their children, and provide for their full access to these programmes.

"The Council welcomes the role that the Peacebuilding Commission can play in mainstreaming gender perspectives into the peace consolidation process. In this context, the Council welcomes in particular the Chairman's summaries of the country-specific meetings of the Commission on Sierra Leone and Burundi held on 12 and 13 October 2006.[283]

"The Council remains deeply concerned by the pervasiveness of all forms of violence against women in armed conflict, including killing, maiming, grave sexual violence, abductions and trafficking in persons. The Council reiterates its utmost condemnation of such practices and calls upon all parties to armed conflict to ensure full and effective protection of women, and emphasizes the necessity to end the impunity of those responsible for gender-based violence.

"The Council reiterates its condemnation, in the strongest terms, of all acts of sexual misconduct by all categories of personnel in United Nations peacekeeping missions. The Council urges the Secretary-General and troop-contributing countries to ensure the full implementation of the recommendations of the Special Committee on Peacekeeping Operations.[284] In this connection, the Council expresses its support for further efforts by the United Nations to fully implement codes of conduct and disciplinary procedures to prevent and respond to sexual exploitation and abuse, and enhance monitoring and enforcement mechanisms based on a zero-tolerance policy.

"The Council requests the Secretary-General to include in his reporting to the Council progress in gender mainstreaming throughout United Nations peacekeeping missions as well as on other aspects relating specifically to women and girls. The Council emphasizes the need for the inclusion of gender components in peacekeeping operations. The Council further encourages Member States and the Secretary-General to increase the participation of women in all areas and at all levels of peacekeeping operations, civilian, police and military, where possible.

"The Council reiterates its call to Member States to continue to implement resolution 1325 (2000), including through the development and implementation of national action plans or other national-level strategies.

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[283] S/2006/1050, annexes I and II.

[284] See A/60/19. For the final text, see *Official Records of the General Assembly, Sixtieth Session, Supplement No. 19*.

"The Council recognizes the important contribution of civil society to the implementation of resolution 1325 (2000) and encourages Member States to continue to collaborate with civil society, in particular with local women's networks and organizations, in order to strengthen implementation.

"The Council looks forward to the report of the High-level Panel on United Nations System-wide Coherence in the Areas of Development, Humanitarian Assistance and the Environment and hopes that this will play a role in ensuring a coordinated United Nations approach to women and peace and security.

"The Council welcomes the first follow-up report of the Secretary-General on the United Nations System-wide Action Plan for the implementation of resolution 1325 (2000) across the United Nations system.[285] The Council requests the Secretary-General to continue to update, monitor and review the implementation and integration of the Action Plan and report to the Council as stipulated in the statement by the President of the Council of 27 October 2005."[278]

At its 5636th meeting, on 7 March 2007, the Council considered the item entitled "Women and peace and security".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[286]

"The Security Council reaffirms its commitment to the full and effective implementation of resolution 1325 (2000) on women and peace and security and recalls the relevant statements by its President as reiterating that commitment.

"The Council recalls the 2005 World Summit Outcome,[279] the Beijing Declaration and Platform for Action,[280] the outcome document of the twenty-third special session of the General Assembly entitled 'Women 2000: gender equality, development and peace for the twenty-first century',[287] and the declaration of the Commission on the Status of Women at its forty-ninth session on the occasion of the tenth anniversary of the Fourth World Conference on Women.[282]

"The Council reaffirms the important role of women in the prevention and resolution of conflicts and in peacebuilding, and stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution.

"The Council urges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management and resolution of conflict.

"The Council urges the Secretary-General to continue to appoint more women as special representatives and envoys to pursue good offices on his behalf, and in this regard calls upon Member States to provide candidates to the Secretary-General for inclusion in a regularly updated centralized roster.

"The Council recognizes that the protection and empowerment of women and support for their networks and initiatives are essential in the consolidation of peace to promote the equal and full participation of women and to improve their security, and encourages Member States, donors and civil society to provide support in this respect.

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[285] S/2006/770.

[286] S/PRST/2007/5.

[287] General Assembly resolution S-23/3, annex.

"The Council recognizes that an understanding of the impact of armed conflict on women and girls, effective institutional arrangements to guarantee their protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security.

"The Council recognizes the urgent need to intensify efforts to mainstream a gender perspective into peacekeeping operations, and in this regard takes note of the Windhoek Declaration and the Namibia Plan of Action on Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations.[288]

"The Council urges the Secretary-General to expand the role and contribution of women in the United Nations field-based operations, including at the decision-making level, and especially among military observers, civilian police and human rights and humanitarian personnel.

"The Council emphasizes the need for the inclusion of gender components, where appropriate, in peacekeeping operations and welcomes United Nations peacekeeping operations policies to promote and protect the rights of women and to take into account a gender perspective as set out in resolution 1325 (2000).

"The Council reaffirms also the need to implement fully international human rights and humanitarian law, including the four Geneva Conventions that protect the rights of women and girls during and after conflicts.[289]

"The Council remains deeply concerned by the pervasiveness of all forms of violence against women and girls in armed conflict, including killing, maiming, grave sexual violence, abductions and trafficking in persons. The Council reiterates its utmost condemnation of such practices and calls upon all parties to armed conflict to take specific measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.

"The Council stresses the need to end impunity for acts of gender-based violence in situations of armed conflict and emphasizes the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity and war crimes, including those relating to sexual and other violence against women and girls, and in this regard stresses the need to exclude these crimes, where feasible, from amnesty provisions.

"The Council requests the Secretary-General to ensure that disarmament, demobilization and reintegration programmes take specific account of the situation of women and girls associated with armed forces and armed groups, as well as their children, and provide for their full access to these programmes.

"The Council reiterates its call to Member States to continue to implement resolution 1325 (2000), including through the development and implementation of national action plans or other national-level strategies.

"The Council recognizes the important contribution of civil society to the implementation of resolution 1325 (2000) and encourages Member States to continue to collaborate with civil society, in particular with local women's networks and organizations, in order to strengthen its implementation.

"The Council decides to remain actively seized of the matter and expresses its commitment to the full implementation of resolution 1325 (2000)."

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[288] S/2000/693, annexes I and II.

[289] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

BRIEFING BY THE PRESIDENT OF THE INTERNATIONAL COURT OF JUSTICE[290]

Decision

At its 5557th meeting, held in private on 27 October 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5557th meeting, held in private on 27 October 2006, the Security Council considered the item entitled 'Briefing by the President of the International Court of Justice'.
>
> "In accordance with the understanding reached in the Council's prior consultations, the President extended an invitation under rule 39 of the provisional rules of procedure of the Council to Judge Rosalyn Higgins, President of the International Court of Justice.
>
> "The members of the Council and Judge Higgins had an exchange of views."

STRENGTHENING COOPERATION WITH TROOP-CONTRIBUTING COUNTRIES

A. Meeting of the Security Council with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus pursuant to resolution 1353 (2001), annex II, sections A and B[291]

Decisions

At its 5582nd meeting, held in private on 8 December 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 8 December 2006, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5582nd meeting, in private with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Major General Rafael José Barni, Force Commander of the United Nations Peacekeeping Force in Cyprus.
>
> "Members of the Council, Major General Barni and representatives of participating troop-contributing countries had an exchange of views."

At its 5689th meeting, held in private on 8 June 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 8 June 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5689th meeting, in private with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Michael Møller, Special Representative of the Secretary-General for Cyprus and Head of the United Nations Peacekeeping Force in Cyprus.
>
> "Members of the Council, Mr. Møller and representatives of participating troop-contributing countries had an exchange of views."

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[290] Resolutions or decisions on this question were also adopted by the Security Council in 2000, 2001 and 2002, under the item entitled "Briefing by Judge Gilbert Guillaume, President of the International Court of Justice".

[291] Resolutions or decisions on this question have been adopted by the Security Council every year since 2001.

B. Meeting of the Security Council with the troop-contributing countries to the United Nations Disengagement Observer Force pursuant to resolution 1353 (2001), annex II, sections A and B[291]

Decisions

At its 5587th meeting, held in private on 13 December 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 13 December 2006, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5587th meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Lisa Buttenheim, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat."

At its 5692nd meeting, held in private on 12 June 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 12 June 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5692nd meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Lisa Buttenheim, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat."

C. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara pursuant to resolution 1353 (2001), annex II, sections A and B[291]

Decisions

At its 5553rd meeting, held in private on 25 October 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 25 October 2006, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5553rd meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.
>
> "Members of the Council, Mr. Annabi and the representatives of participating troop-contributing countries had an exchange of views."

At its 5665th meeting, held in private on 20 April 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 20 April 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5665th meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.

> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Julian Harston, Special Representative of the Secretary-General for Western Sahara.
>
> "Members of the Council, Mr. Harston and representatives of participating troop-contributing countries had an exchange of views."

D. Meeting of the Security Council with the troop-contributing countries to the United Nations Observer Mission in Georgia pursuant to resolution 1353 (2001), annex II, sections A and B[292]

Decisions

At its 5544th meeting, held in private on 6 October 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 6 October 2006, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5544th meeting, in private with the troop-contributing countries to the United Nations Observer Mission in Georgia.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Jean Arnault, Special Representative of the Secretary-General for Georgia and Head of the United Nations Observer Mission in Georgia.
>
> "Members of the Council, Mr. Arnault and representatives of participating troop-contributing countries had an exchange of views."

At its 5657th meeting, held in private on 10 April 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 10 April 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5657th meeting, in private with the troop-contributing countries to the United Nations Observer Mission in Georgia.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Jean Arnault, Special Representative of the Secretary-General for Georgia and Head of the United Nations Observer Mission in Georgia.
>
> "Members of the Council, Mr. Arnault and representatives of participating troop-contributing countries had an exchange of views."

E. Meeting of the Security Council with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo pursuant to resolution 1353 (2001), annex II, sections A and B[291]

Decisions

At its 5537th meeting, held in private on 27 September 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 27 September 2006, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5537th meeting, in private with

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[292] Resolutions or decisions on this question have been adopted by the Security Council every year since 2002.

the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. William Lacy Swing, Special Representative of the Secretary-General for the Democratic Republic of the Congo.

"Members of the Council, Mr. Swing and representatives of participating troop-contributing countries had an exchange of views."

At its 5656th meeting, held in private on 4 April 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 4 April 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5656th meeting, in private with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. William Lacy Swing, Special Representative of the Secretary-General for the Democratic Republic of the Congo.

"Members of the Council, Mr. Swing and representatives of participating troop-contributing countries had an exchange of views."

F. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea pursuant to resolution 1353 (2001), annex II, sections A and B[291]

Decisions

At its 5536th meeting, held in private on 26 September 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 26 September 2006, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5536th meeting, in private with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Azouz Ennifar, Acting Special Representative of the Secretary-General for Ethiopia and Eritrea.

"Members of the Council, Mr. Ennifar and representatives of participating troop-contributing countries had an exchange of views."

At its 5620th meeting, held in private on 16 January 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 16 January 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5620th meeting, in private with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Dmitry Titov, Director of the Africa Division of the Department of Peacekeeping Operations of the Secretariat.

"Members of the Council, Mr. Titov and representatives of participating troop-contributing countries had an exchange of views."

At its 5722nd meeting, held in private on 24 July 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 24 July 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5722nd meeting, in private with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations."

G. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in Liberia pursuant to resolution 1353 (2001), annex II, sections A and B[293]

Decisions

At its 5534th meeting, held in private on 25 September 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 25 September 2006, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5534th meeting, in private with the troop-contributing countries to the United Nations Mission in Liberia.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Alan Doss, Special Representative of the Secretary-General for Liberia.

"Members of the Council, Mr. Doss and representatives of participating troop-contributing countries had an exchange of views."

At its 5643rd meeting, held in private on 22 March 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 22 March 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5643rd meeting, in private with the troop-contributing countries to the United Nations Mission in Liberia.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Alan Doss, Special Representative of the Secretary-General for Liberia."

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[293] Resolutions or decisions on this question were also adopted by the Security Council from 2003 to 2005 and during the period from 1 January to 31 July 2006.

H. Meeting of the Security Council with the troop-contributing countries to the United Nations Operation in Côte d'Ivoire pursuant to resolution 1353 (2001), annex II, sections A and B[294]

Decisions

At its 5585th meeting, held in private on 12 December 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 12 December 2006, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5585th meeting, in private with the troop-contributing countries to the United Nations Operation in Côte d'Ivoire.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Pierre Schori, Special Representative of the Secretary-General for Côte d'Ivoire and Head of the United Nations Operation in Côte d'Ivoire."

At its 5715th meeting, held in private on 11 July 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 11 July 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5715th meeting, in private with the troop-contributing countries to the United Nations Operation in Côte d'Ivoire.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.
>
> "Members of the Council, Mr. Annabi and representatives of participating troop-contributing countries had an exchange of views."

I. Meeting of the Security Council with the troop-contributing countries to the United Nations Stabilization Mission in Haiti pursuant to resolution 1353 (2001), annex II, sections A and B[295]

Decisions

At its 5506th meeting, held in private on 8 August 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 8 August 2006, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5506th meeting, in private with the troop-contributing countries to the United Nations Stabilization Mission in Haiti.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Edmond Mulet, Special Representative of the Secretary-General for Haiti and Head of the United Nations Stabilization Mission in Haiti.

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[294] Resolutions or decisions on this question were also adopted by the Security Council in 2003, 2005 and during the period from 1 January to 31 July 2006.

[295] Resolutions or decisions on this question were also adopted by the Security Council in 2004, 2005 and during the period from 1 January to 31 July 2006.

"Members of the Council, Mr. Mulet and representatives of participating troop-contributing countries had a constructive exchange of views."

At its 5625th meeting, held in private on 29 January 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 29 January 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5625th meeting, in private with the troop-contributing countries to the United Nations Stabilization Mission in Haiti.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Edmond Mulet, Special Representative of the Secretary-General for Haiti and Head of the United Nations Stabilization Mission in Haiti.

"Members of the Council, Mr. Mulet and representatives of participating troop-contributing countries had an exchange of views."

J. Meeting of the Security Council with the troop-contributing countries to the United Nations Operation in Burundi pursuant to resolution 1353 (2001), annex II, sections A and B[295]

Decision

At its 5604th meeting, held in private on 21 December 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 21 December 2006, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5604th meeting, in private with the troop-contributing countries to the United Nations Operation in Burundi.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Nureldin Satti, Acting Special Representative of the Secretary-General for Burundi and Acting Head of Mission of the United Nations Operation in Burundi."

K. Meeting of the Security Council with the troop-contributing countries to the United Nations Mission in the Sudan pursuant to resolution 1353 (2001), annex II, sections A and B[296]

Decisions

At its 5527th meeting, held in private on 18 September 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 18 September 2006, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5527th meeting, in private with the troop-contributing countries to the United Nations Mission in the Sudan.

"A briefing was made pursuant to rule 39 of the provisional rules of procedure of the Council by Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan."

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[296] Resolutions or decisions on this question were also adopted by the Security Council in 2005 and during the period from 1 January to 31 July 2006.

At its 5666th meeting, held in private on 23 April 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 23 April 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5666th meeting, in private with the troop-contributing countries to the United Nations Mission in the Sudan.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Tayé-Brook Zerihoun, Acting Special Representative of the Secretary-General for the Sudan.
>
> "Members of the Council, Mr. Zerihoun and representatives of participating troop-contributing countries had an exchange of views."

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS[297]

Decisions

At its 5600th meeting, on 20 December 2006, the Security Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[298]

> "The Security Council reaffirms that terrorism constitutes one of the most serious threats to international peace and security, and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed.
>
> "The Council reiterates its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations.
>
> "The Council reaffirms the importance of resolution 1373 (2001) as well as its other resolutions concerning threats to international peace and security caused by terrorist acts, and calls upon States to implement their obligations under those resolutions as a matter of priority.
>
> "The Council reiterates its call upon States to become parties to all relevant international conventions and protocols relating to terrorism, and to make full use of the sources of assistance and guidance which are available.
>
> "The Council further reaffirms the need to combat by all means, in accordance with the Charter, threats to international peace and security caused by terrorist acts.
>
> "The Council reminds States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law.
>
> "The Council recognizes the importance of cross-United Nations cooperation on counter-terrorism issues, and confirms that it stands ready to play its part in the implementation of the United Nations Global Counter-Terrorism Strategy.[299]

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[297] Resolutions or decisions on this question have been adopted by the Security Council every year since 2001.

[298] S/PRST/2006/56.

[299] General Assembly resolution 60/288.

"The Council calls upon the relevant United Nations departments, programmes and specialized agencies, as appropriate, to consider, within their existing mandates, how to pursue counter-terrorism objectives.

"The Council welcomes the renewed focus of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) on enhancing the implementation of resolution 1373 (2001) through a proactive fulfilment of its mandate to promote and monitor implementation by States.

"The Council recalls its resolution 1624 (2005) and encourages the Counter-Terrorism Committee to continue its work on the implementation of that resolution.

"The Council calls upon the Counter-Terrorism Committee to report on the status of the implementation of resolution 1373 (2001). In particular, the Council encourages the Counter-Terrorism Committee to report to the Council on any outstanding issues, when necessary and on a regular basis, in order to receive strategic guidance from the Council.

"The Council recalls its resolution 1535 (2004), by which it decided to establish the Counter-Terrorism Committee Executive Directorate (hereinafter "CTED") as a special political mission under the policy guidance of the Counter-Terrorism Committee, to enhance the ability of the Committee to monitor the implementation of resolution 1373 (2001) and effectively continue the capacity-building work in which it is engaged. The Council stresses that the mandate of the Counter-Terrorism Committee Executive Directorate flows from that of the Counter-Terrorism Committee.

"The Council further recalls the statement by its President of 21 December 2005,[300] which included the conclusions of the comprehensive review of CTED by the Council in 2005, and in which the Council decided to carry out another comprehensive review of CTED by 31 December 2006, prepared by the Counter-Terrorism Committee. During today's consultations, the Council endorsed the report prepared by the Committee and forwarded to the Council,[301] and agreed with the recommendations and conclusions contained therein.

"The Council welcomes the letter dated 15 December 2006 from the Secretary-General to the President of the Council regarding CTED's reporting lines.[302] The Council has considered this matter and endorses the recommendation of the Counter-Terrorism Committee with regard to CTED's reporting lines so that CTED would henceforth present its draft work programmes and its semi-annual reports directly to the Committee.

"The Council notes with appreciation the enhanced cooperation among its three Committees (the 1267 Committee, the Counter-Terrorism Committee and the 1540 Committee) that deal with counter-terrorism and their expert teams. It encourages the three Committees to ensure that, in their dialogue with States, they present a consolidated message from the Council on its efforts to fight terrorism. Also, it encourages the three Committees and their expert teams to avoid duplication, including in their requests for information from Member States about their implementation. In this regard, it encourages the three Committees and their expert teams to continue to strengthen the sharing of information among themselves, specifically information reported by States regarding implementation. The Council will continue to evaluate how its counter-terrorism efforts can be organized most efficiently."

At its 5609th meeting, on 22 December 2006, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

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[300] S/PRST/2005/64.

[301] See S/2006/989.

[302] S/2006/1002.

Resolution 1735 (2006)
of 22 December 2006

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002, 1452 (2002) of 20 December 2002, 1455 (2003) of 17 January 2003, 1526 (2004) of 30 January 2004, 1566 (2004) of 8 October 2004, 1617 (2005) of 29 July 2005, 1624 (2005) of 14 September 2005 and 1699 (2006) of 8 August 2006, and the relevant statements by its President,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and reiterating its unequivocal condemnation of Al-Qaida, Osama bin Laden, the Taliban, and other individuals, groups, undertakings and entities associated with them, for ongoing and multiple criminal terrorist acts aimed at causing the death of innocent civilians and other victims, destruction of property and greatly undermining stability,

Expressing its deep concern about the increased violent and terrorist activities in Afghanistan of the Taliban and Al-Qaida, and other individuals, groups, undertakings and entities associated with them,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations and international law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role that the United Nations plays in leading and coordinating this effort,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international and regional organizations to impede, impair, isolate and incapacitate the terrorist threat,

Emphasizing that dialogue between the Security Council Committee established pursuant to resolution 1267 (1999) ("the Committee") and Member States is vital to the full implementation of measures,

Recognizing that one of the most effective means of dialogue between the Committee and Member States is through direct contact, including country visits,

Welcoming the expanded cooperation with INTERPOL, including the establishment of "INTERPOL-United Nations Security Council Special Notices" and the passage of resolution 1699 (2006), and encouraging Member States to work within the framework of INTERPOL and other international and regional organizations in order to reinforce the implementation of the measures against Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them,

Noting the need for robust implementation of the measures in paragraph 1 below as a significant tool in combating terrorist activity,

Reiterating that the measures referred to in paragraph 1 below are preventative in nature and are not reliant upon criminal standards set out under national law,

Underscoring that, in giving effect to the measures in paragraph 1 of resolution 1617 (2005) and other relevant resolutions, full account is to be taken of the provisions regarding exemptions in paragraphs 1 and 2 of resolution 1452 (2002), *Taking note* of the Committee document on the arms embargo,[303] which is intended to be a useful tool to assist States in the implementation of the measures in paragraph 1 (*c*) below,

Expressing its deep concern about the criminal misuse of the Internet by Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, in furtherance of terrorist acts,

Noting with concern the changing nature of the threat presented by Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, in particular the ways in which terrorist ideologies are promoted,

Stressing the importance of meeting all aspects of the threat that Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them represent to international peace and security,

Acting under Chapter VII of the Charter,

Measures

1. *Decides* that all States shall take the following measures as previously imposed by paragraph 4 (*b*) of resolution 1267 (1999), paragraph 8 (*c*) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002) with respect to Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) ("the Consolidated List"):

(*a*) Freeze without delay the funds and other financial assets or economic resources of those individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for the benefit of such persons by their nationals or by persons within their territory;

(*b*) Prevent the entry into or the transit through their territories of those individuals, provided that nothing in this paragraph shall oblige any State to deny entry into or require the departure from its territories of its own nationals and that this paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process, or the Security Council Committee established pursuant to resolution 1267 (1999) ("the Committee") determines on a case-by-case basis only that entry or transit is justified;

(*c*) Prevent the direct or indirect supply, sale or transfer to those individuals, groups, undertakings and entities, from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance or training related to military activities;

2. *Reminds* States of their obligation to freeze without delay the funds and other financial assets or economic resources pursuant to paragraph 1 (*a*) above;

3. *Confirms* that the requirements in paragraph 1 (*a*) above apply to economic resources of every kind;

4. *Calls upon* States to redouble their efforts to implement the measures in paragraphs 1 (*b*) and (*c*) above;

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[303] SCA/2/06(20).

Listing

5. *Decides* that, when proposing names to the Committee for inclusion on the Consolidated List, States shall act in accordance with paragraph 17 of resolution 1526 (2004) and paragraph 4 of resolution 1617 (2005) and provide a statement of case; the statement of case should provide as much detail as possible on the basis(es) for the listing, including: (i) specific information supporting a determination that the individual or entity meets the criteria above; (ii) the nature of the information; and (iii) supporting information or documents that can be provided; States should include details of any connection between the proposed designee and any currently listed individual or entity;

6. *Requests* designating States, at the time of submission, to identify those parts of the statement of case which may be publicly released for the purposes of notifying the listed individual or entity, and those parts which may be released upon request to interested States;

7. *Calls upon* States to use the cover sheet in annex I to the present resolution when proposing names for the Consolidated List, in order to ensure clarity and consistency in requests for listing;

8. *Directs* the Committee to encourage the submission of names from Member States for inclusion on the Consolidated List;

9. *Also directs* the Committee to encourage States to submit additional identifying and other information on listed individuals and entities, including updates on assets frozen and the movement of listed individuals as such information becomes available;

10. *Decides* that the Secretariat shall, after publication but within two weeks after a name has been added to the Consolidated List, notify the permanent mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known), and include with this notification a copy of the publicly releasable portion of the statement of case, a description of the effects of designation, as set forth in the relevant resolutions, the procedures of the Committee for considering de-listing requests, and the provisions of resolution 1452 (2002);

11. *Calls upon* States receiving notification as in paragraph 10 above to take reasonable steps according to their domestic laws and practices to notify or inform the listed individual or entity of the designation and to include with this notification a copy of the publicly releasable portion of the statement of case, a description of the effects of designation, as provided in the relevant resolutions, the procedures of the Committee for considering de-listing requests, and the provisions of resolution 1452 (2002);

12. *Encourages* States to submit to the Committee for inclusion on the Consolidated List names of individuals and entities participating in the financing or support of acts or activities of Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, as described in paragraph 2 of resolution 1617 (2005), by any means, including but not limited to using proceeds derived from illicit cultivation and production of and trafficking in narcotic drugs originating in Afghanistan and their precursors;

De-listing

13. *Decides* that the Committee shall continue to develop, adopt and apply guidelines regarding the de-listing of individuals and entities on the Consolidated List;

14. *Decides also* that the Committee, in determining whether to remove names from the Consolidated List, may consider, among other things, (i) whether the individual or entity was placed on the Consolidated List due to a mistake of identity, or (ii) whether the individual or entity no longer meets the criteria set out in relevant resolutions, in particular resolution 1617 (2005); in making the evaluation in (ii) above, the Committee may consider, among other things, whether the individual is deceased, or whether it has been affirmatively shown that the individual or entity has

severed all association, as defined in resolution 1617 (2005), with Al-Qaida, Osama bin Laden, the Taliban, and their supporters, including all individuals and entities on the Consolidated List;

Exemptions

15. *Decides further* to extend the period for consideration by the Committee of notifications submitted pursuant to paragraph 1 (*a*) of resolution 1452 (2002) from forty-eight hours to three working days;

16. *Reiterates* that the Committee must make a negative decision on notifications submitted pursuant to paragraph 1 (*a*) of resolution 1452 (2002) in order to prevent the release of funds and other financial assets or economic resources that have been determined by the notifying State(s) to be necessary for basic expenses;

17. *Directs* the Committee to review its guidelines with respect to the provisions of paragraph 1 (*a*) of resolution 1452 (2002) as reiterated in paragraph 15 above;

18. *Encourages* States that submit requests to the Committee, pursuant to paragraph 1 (*b*) of resolution 1452 (2002), to report in a timely way on the use of such funds, with a view to preventing such funds from being used to finance terrorism;

Measures – implementation

19. *Encourages* States to identify, and if necessary introduce, adequate procedures to fully implement all aspects of the measures described in paragraph 1 above;

20. *Stresses* that the measures imposed by paragraph 1 (*a*) above apply to all forms of financial resources, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them;

21. *Directs* the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 above, and requests the Chairman, in his periodic reports to the Council pursuant to paragraph 31 below, to provide progress reports on the work of the Committee on this issue;

22. *Requests* States to ensure that the most up-to-date version of the Consolidated List is promptly made available to relevant Government offices and other relevant bodies, in particular, those offices responsible for the assets freeze and border control;

23. *Requests* the Secretary-General to take the necessary steps to increase cooperation between the United Nations and relevant international and regional organizations, including INTERPOL, the International Civil Aviation Organization, the International Air Transport Association, and the World Customs Organization, in order to provide the Committee with better tools to fulfil its mandate more effectively and to give Member States better tools to implement the measures referred to in paragraph 1 above;

The Taliban

24. *Encourages* States to submit names of individuals and entities currently associated with the Taliban to the Committee for inclusion on the Consolidated List;

25. *Directs* the Committee to encourage States to provide additional identifying and other information on listed Taliban individuals and entities;

26. *Also directs* the Committee to work, in accordance with its guidelines, to consider requests for inclusion on the Consolidated List of names of individuals and entities associated with the Taliban, and to consider petitions for the removal of listed members and/or associates of the Taliban who are no longer associated with the Taliban;

Coordination

27. *Reiterates* the need for ongoing close cooperation and exchange of information among the Committee, the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) and the Security Council Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including enhanced information-sharing, coordinated visits to countries, technical assistance and other issues of relevance to all three Committees;

Outreach

28. *Further reiterates* the importance of having the Committee follow up via oral and/or written communications with Member States regarding effective implementation of the sanctions measures;

29. *Strongly encourages* Member States to send representatives to meet the Committee for more in-depth discussion of relevant issues;

30. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with the present resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004) and 1617 (2005);

31. *Also requests* the Committee to report orally, through its Chairman, at least every one hundred and eighty days, to the Council on the overall work of the Committee and the Analytical Support and Sanctions Monitoring Team ("Monitoring Team"), and, as appropriate, in conjunction with the reports of the Chairmen of the Counter-Terrorism Committee and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States;

Monitoring Team and reviews

32. *Decides*, in order to assist the Committee in the fulfilment of its mandate, to extend the mandate of the current New York-based Monitoring Team, appointed by the Secretary-General pursuant to paragraph 20 of resolution 1617 (2005), for a further period of eighteen months, under the direction of the Committee with the responsibilities outlined in annex II to the present resolution, and requests the Secretary-General to make the necessary arrangements to this effect;

33. *Decides also* to review the measures described in paragraph 1 above with a view to their possible further strengthening in eighteen months, or sooner if necessary;

34. *Decides further* to remain actively seized of the matter.

Adopted unanimously at the 5609th meeting.

Annex I

Cover sheet

CONSOLIDATED LIST: COVER SHEET FOR MEMBER STATE SUBMISSIONS TO THE COMMITTEE

Please complete as many of the following fields as possible:

I. IDENTIFIER INFORMATION – for Individuals						
Where possible, note the nationality or cultural or ethnic sources of names/aliases. Provide all available spellings.	**Surname/ Family Name/ Last Name**	**First Name**	**Additional name (e.g. father's name or middle name), where applicable**	**Additional name (e.g. grandfather's name), where applicable**	**Additional name, where applicable**	**Additional name, where applicable**
Full Name: (in original and Latin script)						
Aliases/ "Also Known As" (A.K.A.s): Note whether it is a strong or weak alias. — Current						
Former						
Other nom de guerre, pseudonym:			**Title:** Honorary, professional, or religious title			
Employment/Occupation: Official title/position			**Nationality/ Citizenship:**			
Date of Birth: (DD/MM/YYYY)			**Passport Details:** (Number, issuing date & country, expiry date)			
Alternative Dates of Birth (if any): (DD/MM/YYYY)			**National Identification Number(s), Type(s):** (e.g. Identity card, Social Security)			
Place of Birth: (provide all known details including city, region, province/state, country)			**Address(es):** (provide all known details, including street address, city, province/state, country)			
Alternative Place(s) of Birth (if any): (city, region, province/state, country)			**Previous Address(es):** (provide all known details, including street address, city, province/state, country)			
Gender:			**Languages spoken:**			
Father's full name:			**Mother's full name:**			
Current location:			**Previous location(s):**			
Undertakings and entities owned or controlled, directly or indirectly by the individual (see UNSCR 1617 (2005), para. 3):						
Website Addresses:						
Other relevant detail: (such as physical description, distinguishing marks and characteristics)						

IDENTIFIER INFORMATION – For Groups, Undertakings, or Entities

Name:	
Also Known As (A.K.A.s): Where possible, note whether it is a strong or weak A.K.A.	**Now Known As (N.K.A.s)** **Formerly Known As (F.K.A.s)**
Address(es): Headquarters and/or branches. Provide all known details, including street address, city, province/state, country	
Tax Identification Number: (or local equivalent, type)	
Other Identification Number and type:	
Website Addresses:	
Other Information:	

II. BASIS FOR LISTING

May the Committee publicly release the following information? *Yes* *No*

May the Committee release the following information to Member States? *Yes* *No*

Complete one or more of the following:

	(a) participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of Al-Qaida (AQ), Usama bin Laden (UBL), or the Taliban, or any cell, affiliate, splinter group or derivative thereof.[1] • Name(s) of cell, affiliate, splinter group or derivate thereof:
	(b) supplying, selling or transferring arms and related materiel to AQ, UBL or the Taliban, or any cell, affiliate, splinter group or derivative thereof.[1] • Name(s) of cell, affiliate, splinter group or derivate thereof:
	(c) recruiting for AQ, UBL or the Taliban, or any cell, affiliate, splinter group or derivative thereof.[1] • Name(s) of cell, affiliate, splinter group or derivate thereof:
	(d) otherwise supporting acts or activities of AQ, UBL or the Taliban, or any cell, affiliate, splinter group or derivative thereof.[1] • Name(s) of cell, affiliate, splinter group or derivate thereof:
	(e) Other association with AQ, UBL or the Taliban, or any cell, affiliate, splinter group or derivative thereof. • Briefly explain nature of association and provide name of cell, affiliate, splinter group or derivate thereof:
	(f) Entity owned or controlled, directly or indirectly, by, or otherwise supporting, an individual or entity on the Consolidated List.[2] • Name(s) of individual or entity on the Consolidated List:

Please attach a Statement of the Case which should provide as much detail as possible on the basis(es) for listing indicated above, including: (1) specific information supporting the association or activities alleged; (2) the nature of the information (e.g., intelligence, law enforcement, judicial, media, admissions by subject, etc.) and (3) supporting information or documents that can be provided. Include details of any connection with a currently listed individual or entity. Indicate what portion(s) of the Statement of Case the Committee may publicly release or release to Member States.

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[1] S/RES/1617 (2005), para. 2.

[2] S/RES/1617 (2005), para. 3.

III. POINT OF CONTACT

The individual(s) below may serve as a point-of-contact for further questions on this case: (THIS INFORMATION SHALL REMAIN CONFIDENTIAL)

Name: *Position/Title:*

Annex II

In accordance with paragraph 32 of this resolution, the Monitoring Team shall operate under the direction of the Security Council Committee established pursuant to resolution 1267 (1999) and shall have the following responsibilities:

(*a*) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measures in paragraph 1 (*a*) of this resolution as it pertains to preventing the criminal misuse of the Internet by Al-Qaida, Osama bin Laden, the Taliban, and other individuals, groups, undertakings and entities associated with them, to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;

(*b*) To submit a comprehensive programme of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with the Counter-Terrorism Committee Executive Directorate ("CTED") and the group of experts of the Security Council Committee established pursuant to resolution 1540 (2004) to avoid duplication and reinforce synergies;

(*c*) To submit, in writing, two comprehensive, independent reports to the Committee, one by 30 September 2007 and the other by 31 March 2008, on implementation by States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;

(*d*) To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of resolution 1617 (2005), and other information submitted by Member States to the Committee as instructed by the Committee;

(*e*) To work closely and share information with CTED and the group of experts of the Committee established pursuant to resolution 1540 (2004) to identify areas of convergence and overlap and to help to facilitate concrete coordination, including in the area of reporting, among the three Committees;

(*f*) To assist the Committee with its analysis of non-compliance with the measures referred to in paragraph 1 of this resolution by collating information collected from Member States and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review;

(*g*) To present to the Committee recommendations which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Consolidated List;

(*h*) To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee;

(*i*) To encourage Member States to submit names and additional identifying information for inclusion on the Consolidated List, as instructed by the Committee;

(*j*) To study and report to the Committee on the changing nature of the threat of Al-Qaida and the Taliban and the best measures to confront it, including by developing a dialogue with relevant scholars and academic bodies, in consultation with the Committee;

(*k*) To consult with Member States and other relevant organizations, including regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the reports of the Monitoring Team referred to in paragraph (*c*) of this annex;

(*l*) To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures;

(*m*) To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;

(*n*) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;

(*o*) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006);

(*p*) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;

(*q*) Any other responsibility identified by the Committee.

Decisions

At its 5659th meeting, on 12 April 2007, the Security Council decided to invite the representative of Algeria to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[304]

> "The Security Council condemns in the strongest terms the two suicide attacks that occurred in Algiers on 11 April 2007, causing numerous deaths and injuries, and expresses its deep sympathy and condolences to the victims of these heinous acts of terrorism and their families, and to the people and the Government of Algeria.
>
> "The Council underlines the need to bring the perpetrators, organizers, financers and sponsors of these reprehensible acts of terrorism to justice, and urges all States, in accordance with their obligations under international law and resolutions 1373 (2001) and 1624 (2005), to cooperate actively with the Algerian authorities in this regard.
>
> "The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security, and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed.
>
> "The Council further reaffirms the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts. The Council reminds States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law.
>
> "The Council reiterates its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter."

At its 5662nd meeting, on 13 April 2007, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[305]

> "The Security Council condemns in the strongest terms the terrorist attack in Iraq that targeted the democratically elected Council of Representatives. The Security Council

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[304] S/PRST/2007/10.

[305] S/PRST/2007/11.

> expresses its deep sympathy and condolences to the victims of this heinous act of terrorism and their families, and to the people and the Government of Iraq.
>
> "The Council underlines the need to bring the perpetrators, organizers, financers and sponsors of these reprehensible acts of terrorism to justice, and urges all States, in accordance with their obligations under international law and relevant Council resolutions, to cooperate actively with the Iraqi authorities in this regard.
>
> "The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security, and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed.
>
> "The Council further reaffirms the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts. The Council reminds States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law.
>
> "The Council reiterates its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter.
>
> "The Council strongly supports efforts to promote national dialogue, reconciliation and broad political participation in ensuring unity, peace, security and stability in Iraq. Furthermore, the Council demands that those who use violence in an attempt to subvert the political process must cease hostilities, lay down their arms and participate in that process.
>
> "The Council reaffirms its continued support for the Iraqi people and Government as they rebuild their country and strengthen the foundations of sustainable peace, constitutional democracy and social and economic progress."

In a letter dated 15 May 2007,[306] the President of the Security Council informed the Secretary-General that his letter dated 7 May 2007[307] had been brought to the attention of the members of the Council and that they took note of the information and the intention expressed therein.

At its 5714th meeting, on 9 July 2007, the Council decided to invite the representatives of Spain and Yemen to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[308]

> "The Security Council unequivocally condemns the terrorist attack that took place in Marib, Yemen, on 2 July 2007, and expresses its deepest sympathy and condolences to the victims of the attack and their families, and to the people and Governments of Yemen and Spain.
>
> "The Council underlines the need to bring the perpetrators, organizers, financers and sponsors of this horrendous act to justice and urges all States, in accordance with their obligations under international law and resolutions 1373 (2001), 1566 (2004) and 1624 (2005), to cooperate with and provide support and assistance, as appropriate, to the Government of Yemen in this regard.

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[306] The letter, which was issued as a Security Council document under the symbol S/2007/280, has been reproduced on page 106 of the present volume.

[307] S/2007/279.

[308] S/PRST/2007/26.

"The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed.

"The Council further reaffirms the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts. The Council reminds States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law.

"The Council reiterates its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter."

THE SITUATION IN CÔTE D'IVOIRE[309]

Decisions

At its 5505th meeting, on 7 August 2006, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled "The situation in Côte d'Ivoire".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[310]

"The Security Council affirms its commitment to the implementation of the peace process and of the road map established by the International Working Group. It welcomes the initiatives of the Prime Minister, Mr. Charles Konan Banny, and the ongoing dialogue among President Laurent Gbagbo, the Prime Minister and all other Ivorian parties.

"The Council reiterates its full support for the Prime Minister. It welcomes his determination to implement the decisions taken by all Ivorian parties at the high-level meeting held in Yamoussoukro on 5 July 2006.[311] It strongly encourages him to continue his efforts and demands that all Ivorian parties cooperate with him fully and in good faith.

"The Council welcomes the launch of the mobile courts throughout Côte d'Ivoire and the announcement by the Prime Minister of the completion of the pre-cantonment of the Defence and Security Forces of Côte d'Ivoire and of the Armed Forces of the Forces nouvelles. The Council also welcomes the establishment of the disarmament, demobilization and reintegration monitoring group, the measures taken to implement the quadripartite control of pre-cantonment operations and the beginning of operations to dismantle and disarm the militias. It takes note of the signing of a presidential decree allowing the Independent Electoral Commission to propose any technical adjustments to the electoral code for the transitional elections.

"The Council expresses its concern that the structures of the Independent Electoral Commission as well as the local offices of the National Commission of Supervision of Identification have not been deployed throughout the country. It urges the Ivorian parties to settle these issues without delay.

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[309] Resolutions or decisions on this question have been adopted by the Security Council every year since 2002.

[310] S/PRST/2006/37.

[311] See S/2006/516, annex.

"The Council strongly condemns the obstructions to the normal functioning of the mobile courts which followed the calls for such action made by political leaders, in particular the Chairman of the Front populaire ivoirien and the President of the former National Assembly. It notes that the procedures of the mobile courts were decided in consultation with President Laurent Gbagbo. It urges all parties to ensure that the mobile courts function without further hindrance.

"The Council expresses its utmost concern and condemns the acts of violence committed by organized groups, in particular the Young Patriots, which led to the deaths of civilians, and further condemns the attack of 24 July 2006 against the High Representative for the elections in Côte d'Ivoire, despite the presence of the Republican Guard at the scene.

"The Council condemns also the incidents of 15 July 2006 at the premises of Radio Télévision Ivoirienne. It calls upon the Ivorian authorities to strengthen security measures at Radio Télévision Ivoirienne. It underlines the importance of guaranteeing the independence and neutrality of the media in Côte d'Ivoire.

"The Council reaffirms its support for the implementation of measures against those responsible, as provided for in paragraphs 9 and 11 of resolution 1572 (2004), and underlines that the reports of the events described above will be examined by the sanctions committee established pursuant to paragraph 14 of resolution 1572 (2004).

"The Council demands that the Defence and Security Forces of Côte d'Ivoire, including the Republican Guard, act within the law of the land at all times to ensure full security of the population, including foreigners, and support the implementation of the road map led by the Prime Minister. It reaffirms in this regard paragraphs 8 and 9 of resolution 1633 (2005). It recalls that the Defence and Security Forces and the Forces nouvelles must ensure the security of the mobile court hearings in the areas under their control.

"The Council demands also that all Ivorian parties cooperate fully in the operations of the impartial forces, in particular by guaranteeing the safety, security and freedom of movement of their personnel, as well as associated personnel, throughout the territory of Côte d'Ivoire, and affirms that any obstacle to their freedom of movement or to the full implementation of their mandates will not be tolerated. It recalls paragraph 4 of resolution 1643 (2005) in this regard.

"The Council reaffirms the importance of the concomitant implementation of the identification and disarmament, demobilization and reintegration operations and of the acceleration by all Ivorian parties of the implementation of the road map in order to create the conditions indispensable for the holding of free, open, fair and transparent elections within the agreed timetable.

"The Council therefore considers that it is necessary to deploy throughout the territory of Côte d'Ivoire as many mobile courts as possible towards the objective of 150 mobile courts called for in the Prime Minister's plan and to complete the second phase of the disarmament, demobilization and reintegration programme, the cantonment of combatants, before the next meeting of the International Working Group. It encourages the Prime Minister to take all the necessary actions to this end, with the agreement of all Ivorian parties, as well as for the organization of the elections. It calls upon the Working Group to monitor such progress and to report to it on its assessment of the progress made.

"The Council expresses its full support for the International Working Group and endorses its ninth communiqué, of 20 July 2006.[312] It reiterates its full support for the Special Representative of the Secretary-General for Côte d'Ivoire and the High Representative for the elections."

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[312] S/2006/584, annex.

On 6 September 2006, the President of the Security Council addressed the following letter to the Secretary-General:[313]

> "I have the honour to inform you that your letter dated 30 August 2006 concerning your intention to appoint Major General Fernand Marcel Amoussou, of Benin, as the Force Commander of the United Nations Operation in Côte d'Ivoire[314] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5524th meeting, on 14 September 2006, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

> "The situation in Côte d'Ivoire
>
> > "Letter dated 13 September 2006 from the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council (S/2006/735)".

Resolution 1708 (2006)
of 14 September 2006

The Security Council,

Recalling its previous resolutions concerning the situation in Côte d'Ivoire, in particular resolutions 1572 (2004) of 15 November 2004, 1584 (2005) of 1 February 2005, 1633 (2005) of 21 October 2005 and 1643 (2005) of 15 December 2005, and the relevant statements by its President,

Welcoming the ongoing efforts of the Secretary-General, the African Union and the Economic Community of Western African States towards re-establishing peace and stability in Côte d'Ivoire,

Recalling the final report of the Group of Experts created by the Secretary-General pursuant to paragraph 9 of resolution 1643 (2005),[315]

Determining that the situation in Côte d'Ivoire continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate of the Group of Experts until 15 December 2006, and requests the Secretary-General to take the necessary administrative measures;

2. *Requests* the Group of Experts to submit a brief written update to the Security Council, through the Security Council Committee established pursuant to paragraph 14 of resolution 1572 (2004), before 1 December 2006, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005), with recommendations in this regard;

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5524th meeting.

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[313] S/2006/716.

[314] S/2006/715.

[315] See S/2006/735, annex.

Decisions

At its 5555th meeting, held in private on 25 October 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5555th meeting, held in private on 25 October 2006, the Security Council considered the item entitled 'The situation in Côte d'Ivoire'.
>
> "The President, with the consent of the Council, invited the representative of Côte d'Ivoire to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Said Djinnit, Commissioner for Peace and Security of the African Union.
>
> "The members of the Council heard a briefing by Mr. Djinnit.
>
> "The members of the Council heard a statement by Mr. Youssouf Bakayoko, Minister for Foreign Affairs of Côte d'Ivoire."

At its 5561st meeting, on 1 November 2006, the Council decided to invite the representative of Côte d'Ivoire (Minister for Foreign Affairs) to participate, without vote, in the discussion of the item entitled:

> "The situation in Côte d'Ivoire
>
> > "Tenth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2006/821)".

Resolution 1721 (2006)
of 1 November 2006

The Security Council,

Recalling its previous resolutions and the statements by its President relating to the situation in Côte d'Ivoire,

Reaffirming its strong commitment to respect for the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by the Ivorian political forces at Linas-Marcoussis, France, on 23 January 2003 (the Linas-Marcoussis Agreement)[316] and approved by the Conference of Heads of State on Côte d'Ivoire, held in Paris on 25 and 26 January 2003, the agreement signed at Accra on 30 July 2004 (the Accra III Agreement)[317] and the agreement signed at Pretoria on 6 April 2005 (the Pretoria Agreement),[318]

Commending the continued efforts of the African Union, the Economic Community of West African States and the leaders of the region to promote peace and stability in Côte d'Ivoire, and reiterating its full support for them,

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[316] S/2003/99, annex I.

[317] S/2004/629, annex.

[318] S/2005/270, annex I.

Paying tribute to President Thabo Mbeki of South Africa for the untiring efforts he has deployed in the service of peace and reconciliation in Côte d'Ivoire, as well as the numerous initiatives he has taken to move forward the peace process, in his capacity as African Union Mediator, driven by his deep commitment to finding African solutions to African problems,

Commending the constant efforts of the Special Representative of the Secretary-General for Côte d'Ivoire, Mr. Pierre Schori, the High Representative for the elections in Côte d'Ivoire, Mr. Gérard Stoudmann, and the International Working Group, and reiterating its full support for them,

Reaffirming its support to the impartial forces, namely the United Nations Operation in Côte d'Ivoire and the French forces supporting it,

Having taken note of the decision of the Peace and Security Council of the African Union adopted at its sixty-fourth meeting, held at the level of Heads of State and Government in Addis Ababa on 17 October 2006 ("the decision of the Peace and Security Council"),[319]

Having heard on 25 October 2006 the report by Mr. Said Djinnit, Commissioner of the African Union,

Having taken note of the report of the Secretary-General of 17 October 2006,[320] in particular paragraphs 68 to 80 thereof,

Bearing in mind that the constitutional mandate of President Laurent Gbagbo expired on 30 October 2005 and the mandate of the former National Assembly expired on 16 December 2005,

Expressing its serious concern at the persistence of the crisis and the deterioration of the situation in Côte d'Ivoire, including its grave humanitarian consequences causing large-scale civilian suffering and displacement,

Reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Endorses* the decision of the Peace and Security Council of the African Union,[319] underlines that its unfettered implementation requires the full support of the Security Council, considers, therefore, that the following provisions of the present resolution, based on the decision of the Peace and Security Council, aim at implementing fully the peace process in Côte d'Ivoire and at organizing free, open, fair and transparent elections in the country by 31 October 2007, and affirms that such provisions are intended to be applicable during the transition period until a newly elected President takes up his duties and a new National Assembly is elected;

2. *Takes note* of the tenth final communiqué of the International Working Group, of 8 September 2006;[321]

3. *Takes note also* of the impossibility of organizing elections, presidential and legislative, on the scheduled date and of the expiry, on 31 October 2006, of the transition period and of the mandates of President Laurent Gbagbo and Prime Minister Charles Konan Banny;

4. *Recalls* paragraphs 5 and 8 of the tenth final communiqué of the International Working Group, paragraph 10 of the decision of the Peace and Security Council and paragraph 75 (*a*) of the

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[319] See S/2006/829, annex.

[320] S/2006/821.

[321] S/2006/738, annex.

report of the Secretary-General of 17 October 2006,[320] and therefore declares that the full implementation of the present resolution, consistent with paragraphs 13 and 14 of the decision of the Peace and Security Council, and of the peace process led by the Prime Minister requires full compliance by all Ivorian parties and that no legal provisions should be invoked by them to obstruct the process;

5. *Endorses* the decision of the Peace and Security Council that President Laurent Gbagbo shall remain Head of State as from 1 November 2006 for a new and final transition period not exceeding twelve months;

6. *Endorses also* the decision of the Peace and Security Council to renew the mandate of the Prime Minister, Mr. Charles Konan Banny, as from 1 November 2006 for a new and final transition period not exceeding twelve months, and endorses further the decision of the Peace and Security Council that the Prime Minister shall not be eligible to stand for the presidential elections to be organized by 31 October 2007;

7. *Stresses* that the Prime Minister shall have a mandate to implement all the provisions of the road map drawn up by the International Working Group and of the agreements concluded between the Ivorian parties with a view to holding free, open, fair and transparent elections by 31 October 2007 at the latest, with support from the United Nations and potential donors, and to carry out, in particular:

- The disarmament, demobilization and reintegration programme;
- The identification of the population and registration of voters in order to compile credible electoral rolls;
- The operations of disarmament and dismantling of militias;
- The restoration of State authority and the redeployment of the administration and public services throughout the territory of Côte d'Ivoire;
- The technical preparations for the elections;
- The restructuring of the armed forces, in accordance with paragraph 17 of the decision of the Peace and Security Council and paragraph 3 (*f*) of the Linas-Marcoussis Agreement;[316]

8. *Stresses also* that the Prime Minister, for the implementation of the mandate set out in paragraph 7 above, must have all the necessary powers, and all appropriate financial, material and human resources, as well as full and unfettered authority, consistent with the recommendations of the Economic Community of Western African States of 6 October 2006, and must be empowered to take all necessary decisions, in all matters, within the Council of Ministers or the Council of Government, by ordinances or decree-laws;

9. *Stresses further* that the Prime Minister, for the implementation of the mandate set out in paragraph 7 above, must also have the necessary authority over the Defence and Security Forces of Côte d'Ivoire;

10. *Recalls* paragraph 10 (iii) of the decision of the Peace and Security Council of 6 October 2005[322] and the statement by the President of the Security Council of 9 December 2005,[323] reaffirms the provisions of paragraphs 6 and 7 of resolution 1633 (2005) of 21 October 2005, and recalls that the Prime Minister shall have full authority over the Government that he will establish;

11. *Reaffirms* that the disarmament, demobilization and reintegration and identification processes should be carried out concomitantly, stresses the centrality of both processes to the

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[322] See S/2005/639, annex.

[323] S/PRST/2005/60.

peace process, urges the Prime Minister to implement them without delay, and calls upon all the Ivorian parties to cooperate fully with him in this regard;

12. *Demands* the immediate resumption of the programme for the disarmament and dismantling of militias throughout the national territory, stresses that this programme is a key element of the peace process, and underlines the individual responsibility of the leaders of the militias in the full implementation of this process;

13. *Urges* the Prime Minister to take immediately all appropriate measures, through the signing of the relevant ordinances in the conditions set out in paragraph 8 above, to expedite the issuance of birth and nationality certificates in the context of the identification process, in a spirit of equity and transparency;

14. *Demands* that all the Ivorian parties concerned, in particular the Armed Forces of the Forces nouvelles and the Armed Forces of Côte d'Ivoire, participate fully and in good faith in the work of the quadripartite commission responsible for overseeing the implementation of the disarmament, demobilization and reintegration programme and the operations for the disarmament and dismantling of militias;

15. *Invites* the Prime Minister to establish immediately, in liaison with all the Ivorian parties, the United Nations Operation in Côte d'Ivoire and the French forces supporting it, a working group responsible for submitting to him a plan on the restructuring of the defence and security forces and preparing possible seminars on security sector reform to be organized by the African Union and the Economic Community of West African States, with a view to rebuilding defence and security forces committed to the values of integrity and republican morality;

16. *Encourages* the African Union and the Economic Community of West African States to organize seminars on security sector reform, in collaboration with partners and with the participation of commanding and senior officers from West African countries emerging from conflict, to examine, among other issues, the principles of civilian control of armed forces and personal and individual responsibility for acts of impunity or violation of human rights;

17. *Invites* the Prime Minister to establish immediately, in liaison with all the Ivorian parties concerned and the High Representative for the elections in Côte d'Ivoire, a working group responsible for helping him to implement the identification of the population and the registration of voters, in order to ensure their credibility and transparency;

18. *Encourages* the Prime Minister to seek, as appropriate, the active involvement of civil society in moving the peace process forward, and urges the Ivorian parties, the High Representative for the elections and the United Nations Operation in Côte d'Ivoire to take account of the rights and resources of women and of gender considerations as set out in resolution 1325 (2000) of 31 October 2000 as cross-cutting issues in the implementation of the peace process, including through consultations with local and international women's groups;

19. *Demands* that all Ivorian parties end all incitement to hatred and violence, in radio and television broadcasting as well as in any other media, and urges the Prime Minister to establish and implement without delay a code of conduct for the media, in conformity with the decisions taken at Yamoussoukro on 5 July 2006[311] and the decision of the Peace and Security Council;[319]

20. *Endorses* the decision of the Peace and Security Council that, to avoid multiple and conflicting mediation efforts, President Denis Sassou Nguesso of the Congo ("the Mediator"), in his capacity as Chairperson of the African Union, shall lead the mediation efforts, in liaison with the Chairmen of the African Union Commission and the Economic Community of West African States and, as the need may arise, in liaison with any other African leader willing to make a contribution to the search for peace in Côte d'Ivoire, and underlines that the representative of the Mediator in Côte d'Ivoire will lead, in liaison with the Special Representative of the Secretary-General for Côte d'Ivoire, the day-to-day mediation;

21. *Requests* the African Union and the Economic Community of West African States to continue to monitor and follow up closely the implementation of the peace process, and invites

them to review before 1 February 2007 the progress achieved and, should they deem it appropriate, to review the situation again between that date and 31 October 2007, and requests them to report to the Security Council, through the Secretary-General, on their assessment and, if necessary, to submit to the Council any new recommendations;

22. *Renews* for a period of twelve months the mandate of the High Representative for the elections laid down in paragraph 7 of resolution 1603 (2005) of 3 June 2005, underscores that the Peace and Security Council has encouraged the High Representative to play a greater role in the resolution of disputes linked to the electoral process, or issues arising out of the procedures and processes to be adopted to ensure open, free, fair and transparent elections, and decides, therefore, that, in addition to that mandate, the High Representative, with the full support of and in consultation with the Prime Minister:

- Shall be the sole authority authorized to arbitrate with a view to preventing or resolving any problems or disputes related to the electoral process, in liaison with the Mediator;
- Shall certify that all stages of the electoral process, including the process of identification of the population, the establishment of a register of voters and the issuance of voters' cards, provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards;

23. *Requests* the United Nations Operation in Côte d'Ivoire, consistent with its mandate in resolution 1609 (2005) of 24 June 2005 to protect United Nations personnel, to provide security to the High Representative for the elections, within its capabilities and its areas of deployment;

24. *Recalls* paragraph 9 above, and stresses, therefore, that the Prime Minister must have authority over the personnel of the Defence and Security Forces of Côte d'Ivoire who ensure his close protection and provide the security of his offices, including by designating them, without prejudice to the provisions of paragraph 2 (*l*) of resolution 1609 (2005);

25. *Recalls also* the International Working Group's role of guarantor and impartial arbitrator of the peace process, and requests the Working Group:

- To establish as soon as possible, in liaison with the Prime Minister, a precise timetable for the implementation of the main components of the road map;
- To evaluate, monitor and follow up closely the progress achieved in implementing the road map on a monthly basis;
- To report to the Security Council, through the Secretary-General, on its assessment of the progress achieved and on any obstacles encountered by the Prime Minister in carrying out his mandate set out in paragraph 7 above;
- To submit, as appropriate, to all the Ivorian parties concerned and to the Council any recommendations it deems necessary;

26. *Demands* that all Ivorian parties refrain from any use of force and violence, including against civilians and foreigners, and from all kinds of disruptive street protests;

27. *Demands also* that all Ivorian parties guarantee the security and freedom of movement of all Ivorian nationals throughout the territory of Côte d'Ivoire;

28. *Demands further* that all Ivorian parties cooperate fully with the operations of the United Nations Operation in Côte d'Ivoire and the French forces supporting it, as well as United Nations agencies and associated personnel, in particular by guaranteeing the safety, security and freedom of movement of their personnel, as well as associated personnel, throughout the territory of Côte d'Ivoire, and reaffirms that any obstacle to their freedom of movement or to the full implementation of their mandates would not be tolerated;

29. *Urges* countries neighbouring Côte d'Ivoire to prevent any cross-border movement of combatants or arms into Côte d'Ivoire;

30. *Reiterates its serious concern* at all violations of human rights and international humanitarian law in Côte d'Ivoire, and urges the Ivorian authorities to investigate these violations without delay in order to put an end to impunity;

31. *Recalls* the individual responsibility of all Ivorian parties, including members of the Defence and Security Forces of Côte d'Ivoire and of the Armed Forces of the Forces nouvelles, whatever their rank, in the implementation of the peace process;

32. *Underlines* that it is fully prepared to impose targeted measures against persons to be designated by the Security Council Committee established pursuant to paragraph 14 of resolution 1572 (2004) who are determined to be, among other things, blocking the implementation of the peace process, including by attacking or obstructing the action of the United Nations Operation in Côte d'Ivoire, of the French forces supporting it, of the High Representative for the elections, of the International Working Group, of the Mediator or of his representative in Côte d'Ivoire, responsible for serious violations of human rights and international humanitarian law committed in Côte d'Ivoire since 19 September 2002, publicly inciting hatred and violence or in violation of the arms embargo, as provided for in resolutions 1572 (2004) of 15 November 2004 and 1643 (2005) of 15 December 2005;

33. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5561st meeting.

Decision

At its 5591st meeting, on 15 December 2006, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Eleventh progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2006/939)".

Resolution 1726 (2006)
of 15 December 2006

The Security Council,

Recalling its previous resolutions and the statements by its President relating to the situation in Côte d'Ivoire,

Reaffirming its strong commitment to respect for the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Having taken note of the report of the Secretary-General of 4 December 2006,[324]

Reaffirming its support to the impartial forces, namely the United Nations Operation in Côte d'Ivoire and the French forces supporting it,

Expressing its serious concern at the persistence of the crisis and the deterioration of the situation in Côte d'Ivoire, including its grave humanitarian consequences causing large-scale civilian suffering and displacement,

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[324] S/2006/939.

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it shall be extended until 10 January 2007;

2. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5591st meeting.

Decision

At its 5592nd meeting, on 15 December 2006, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Letter dated 8 December 2006 from the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council (S/2006/964)".

Resolution 1727 (2006)
of 15 December 2006

The Security Council,

Recalling its previous resolutions and the statements by its President relating to the situation in Côte d'Ivoire,

Reaffirming its strong commitment to respect for the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Taking note of the reports of the Group of Experts on Côte d'Ivoire issued on 5 October[315] and 12 December 2006,[325]

Expressing its serious concern at the persistence of the crisis and the deterioration of the situation in Côte d'Ivoire, including its grave humanitarian consequences causing large-scale civilian suffering and displacement,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew until 31 October 2007 the provisions of paragraphs 7 to 12 of resolution 1572 (2004) of 15 November 2004 and paragraph 6 of resolution 1643 (2005) of 15 December 2005;

2. *Demands* that all Ivorian parties, including the transitional Government and the Forces nouvelles, provide unhindered access, particularly to the Group of Experts established pursuant to paragraph 9 of resolution 1643 (2005), to equipment, sites and installations referred to in paragraph 2 (*a*) of resolution 1584 (2005) of 1 February 2005, and to the United Nations Operation in Côte d'Ivoire and French forces supporting it to enable them to carry out the tasks set out in paragraphs 2 and 12 of resolution 1609 (2005) of 24 June 2005;

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[325] See S/2006/964, annex.

3. *Reiterates* that any serious obstacle to the freedom of movement of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it, or any attack or obstruction to the action of the United Nations Operation in Côte d'Ivoire, of the French forces, of the High Representative for the elections in Côte d'Ivoire, of the International Working Group, of the Mediator mentioned in paragraph 20 of resolution 1721 (2006) of 1 November 2006 or of his representative in Côte d'Ivoire constitutes a threat to the peace and national reconciliation process for purposes of paragraphs 9 and 11 of resolution 1572 (2004);

4. *Requests* the Secretary-General and the Government of France to report to it immediately, through the Security Council Committee established pursuant to paragraph 14 of resolution 1572 (2004) (the Committee), of any serious obstacle to the freedom of movement of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it, including the names of those responsible, and requests the High Representative for the elections, the International Working Group, the Mediator mentioned in paragraph 20 of resolution 1721 (2006) or his representative in Côte d'Ivoire to report to it immediately, through the Committee, any attack or obstruction to their action;

5. *Requests* all States concerned, in particular those in the region, to report to the Committee, within ninety days of the date of adoption of the present resolution, on the practical steps they have taken to implement the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005), and authorizes the Committee to request whatever further information it may consider necessary;

6. *Decides* that at the end of the period mentioned in paragraph 1 above, the Council shall review the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005) and reiterated in paragraph 3 above, in the light of progress accomplished in the peace and national reconciliation process in Côte d'Ivoire as referred to in resolution 1721 (2006), and expresses its readiness to consider the modification or termination of those measures before the aforesaid period only if the provisions of resolution 1721 (2006) have been fully implemented;

7. *Decides also* to extend the mandate of the Group of Experts for a further six months, and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible, drawing, as appropriate, on the expertise of the members of the Group of Experts and appointing new members as necessary, in consultation with the Committee, the mandate to be as follows:

(*a*) To exchange information with the United Nations Operation in Côte d'Ivoire and the French forces in the context of their monitoring mandate set out in paragraphs 2 and 12 of resolution 1609 (2005);

(*b*) To gather and analyse all relevant information in Côte d'Ivoire and elsewhere, in cooperation with the Governments of those countries, on flows of arms and related materiel, on provision of assistance, advice or training related to military activities, on networks operating in violation of the measures imposed by paragraph 7 of resolution 1572 (2004), and on the sources of financing, including from the exploitation of natural resources in Côte d'Ivoire, for purchases of arms and related materiel and activities;

(*c*) To consider and recommend, where appropriate, ways of improving the capabilities of States, in particular those in the region, to ensure the effective implementation of the measures imposed by paragraph 7 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005);

(*d*) To seek further information regarding the action taken by States with a view to implementing effectively the measures imposed by paragraph 6 of resolution 1643 (2005);

(*e*) To report to the Council in writing before 15 June 2007, through the Committee, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005), with recommendations in this regard;

(*f*) To keep the Committee regularly updated on its activities;

(*g*) To provide the Committee in its reports with evidence of any violations of the measures imposed by paragraph 7 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005);

(*h*) To cooperate with other relevant groups of experts, in particular the group of experts on Liberia established pursuant to resolutions 1521 (2003) of 22 December 2003 and 1579 (2004) of 21 December 2004;

(*i*) To monitor the implementation of the individual measures set out in paragraphs 9 and 11 of resolution 1572 (2004);

8. *Requests* the Secretary-General to communicate, as appropriate, to the Council, through the Committee, information gathered by the United Nations Operation in Côte d'Ivoire and, when possible, reviewed by the Group of Experts, about the supply of arms and related materiel to Côte d'Ivoire;

9. *Requests* the Government of France to communicate, as appropriate, to the Council, through the Committee, information gathered by the French forces and, when possible, reviewed by the Group of Experts, about the supply of arms and related materiel to Côte d'Ivoire;

10. *Requests* the Kimberley Process to communicate, as appropriate, to the Council, through the Committee, information, when possible, reviewed by the Group of Experts, about the production and illicit export of diamonds;

11. *Urges* all States, relevant United Nations bodies and other organizations and interested parties, including the Kimberley Process, to cooperate fully with the Committee, the Group of Experts, the United Nations Operation in Côte d'Ivoire and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005) and reiterated in paragraph 3 above;

12. *Underlines* that it is fully prepared to impose targeted measures against persons to be designated by the Committee who are determined to be, among other things:

(*a*) A threat to the peace and national reconciliation process in Côte d'Ivoire, in particular by blocking the implementation of the peace process as referred to in resolution 1721 (2006);

(*b*) Attacking or obstructing the action of the United Nations Operation in Côte d'Ivoire, of the French forces supporting it, of the High Representative for the elections, of the International Working Group, of the Mediator or of his representative in Côte d'Ivoire;

(*c*) Responsible for obstacles to the freedom of movement of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it;

(*d*) Responsible for serious violations of human rights and international humanitarian law committed in Côte d'Ivoire;

(*e*) Publicly inciting hatred and violence;

(*f*) Acting in violation of the measures imposed by paragraph 7 of resolution 1572 (2004);

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5592nd meeting.

Decisions

At its 5606th meeting, on 21 December 2006, the Security Council considered the item entitled:

"The situation in Côte d'Ivoire

> "Letter dated 7 December 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/950)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[326]

> "The Security Council reiterates its full support for the International Working Group, recalls its role as guarantor and impartial arbiter of the peace process, and endorses its final communiqué of 1 December 2006.[327] It also encourages the Working Group to promote enhanced dialogue with all Ivorian parties. It insists that all Ivorian parties apply, under the direction of the Prime Minister, the implementation timeline for the road map drawn up by the Working Group.
>
> "The Council shares the grave concern expressed by the International Working Group at delays in the implementation of resolution 1721 (2006), and urges all Ivorian parties to cooperate fully with the Prime Minister in order to implement all the provisions of the road map drawn up by the Working Group and referred to in resolution 1721 (2006), including the identification of the population and the registration of voters, and the disarmament, demobilization and reintegration programme, which are central to the peace process in Côte d'Ivoire.
>
> "The Council, bearing in mind the provisions of resolution 1572 (2004), recalls that the neutrality and impartiality of the public media are essential to the peace process, and supports the International Working Group, which considered that it is indispensable to reinstate the dismissed officials of Radio Télévision Ivoirienne and *Fraternité Matin*. It recalls also that obstacles to the freedom of movement of the impartial forces, in particular those put up by the Republican Guard, are unacceptable.
>
> "The Council reiterates its full support for the Prime Minister, Mr. Charles Konan Banny. It strongly encourages him to continue his endeavours, in consultation with President Laurent Gbagbo, including his efforts to fight impunity and promote good governance, and to utilize all the powers referred to in resolution 1721 (2006) to prepare for elections, which must be held by 31 October 2007 at the latest. The Council welcomes in this regard the announcement by the Prime Minister of immediate measures to relaunch the identification process, and expects more concrete measures in place to implement the disarmament, demobilization and reintegration programme. The Council reaffirms that the Prime Minister must exercise his powers without hindrance, including his authority over the Defence and Security Forces referred to in resolution 1721 (2006), and calls upon all Ivorian parties to support his efforts.
>
> "The Council invites the African Union Mediator to visit Côte d'Ivoire to relaunch the peace process as soon as possible, if necessary in cooperation with all other African leaders.
>
> "The Council requests the International Working Group, in preparation for its next meeting on 12 January 2007, to provide a detailed update on the timeline for the implementation of the peace process, and all the recommendations needed for the consideration of the situation by the Economic Community of West African States and the African Union by 1 February 2007 at the latest.
>
> "The Council reiterates its full support for the Special Representative of the Secretary-General for Côte d'Ivoire, Mr. Pierre Schori, the High Representative for the elections in Côte d'Ivoire, Mr. Gérard Stoudmann, and the United Nations Operation in Côte d'Ivoire, as well as the French forces supporting it."

At its 5617th meeting, on 10 January 2007, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Eleventh progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2006/939)".

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[326] S/PRST/2006/58.

[327] S/2006/950, annex.

Resolution 1739 (2007)
of 10 January 2007

The Security Council,

Recalling its previous resolutions and the statements by its President relating to the situation in Côte d'Ivoire, in particular resolution 1721 (2006) of 1 November 2006 on the transition period leading to the holding of free, open, fair and transparent elections in Côte d'Ivoire by 31 October 2007,

Recalling also its resolution 1712 (2006) of 29 September 2006 relating to the situation in Liberia,

Reaffirming its strong commitment to respect for the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Having taken note of the report of the Secretary-General of 4 December 2006,[324]

Reaffirming its support to the United Nations Operation in Côte d'Ivoire and the French forces supporting it,

Expressing its serious concern at the persistence of the crisis and the deterioration of the situation in Côte d'Ivoire, including its grave humanitarian consequences causing large-scale civilian suffering and displacement,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandates of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it, determined respectively in paragraphs 2 and 8 below, shall be extended until 30 June 2007, and expresses its intention to review by that date their mandates, including their length, and the level of troops of the United Nations Operation in Côte d'Ivoire, in the light of the progress achieved in the implementation of the peace process as referred to in resolution 1721 (2006);

2. *Decides also* that the United Nations Operation in Côte d'Ivoire shall have the following mandate from the date of adoption of the present resolution:

(*a*) Monitoring of the cessation of hostilities and movements of armed groups:

- To observe and monitor the implementation of the joint declaration of the end of the war of 6 April 2005 and of the comprehensive ceasefire agreement of 3 May 2003, to prevent, within its capabilities and its areas of deployment, any hostile action, and to investigate violations of the ceasefire;
- To liaise with the National Armed Forces of Côte d'Ivoire and the military elements of the Forces nouvelles in order to promote, in coordination with the French forces, the re-establishment of trust among all the Ivorian forces involved;
- To assist the Government of Côte d'Ivoire in monitoring the borders, with particular attention to the situation of Liberian refugees and to any cross-border movement of combatants;

(*b*) Disarmament, demobilization, reintegration, repatriation and resettlement:

- To assist the Government of Côte d'Ivoire in undertaking the regrouping of all the Ivorian forces involved and to assist in ensuring the security of their disarmament, cantonment and demobilization sites;
- To support the Government of Côte d'Ivoire, within the current capacities of the United Nations Operation in Côte d'Ivoire, in the implementation of the national

programme for the disarmament, demobilization and reintegration of combatants, including through logistical support, in particular for the preparation of cantonment sites, paying special attention to the specific needs of women and children;

- To coordinate closely with the United Nations Mission in Liberia in the implementation of a voluntary repatriation and resettlement programme for foreign ex-combatants, paying special attention to the specific needs of women and children, in support of the efforts of the Government of Côte d'Ivoire and in cooperation with the Governments concerned, relevant international financial institutions, international development organizations and donor nations;

- To ensure that the national programme for the disarmament, demobilization and reintegration of combatants and that the voluntary repatriation and resettlement programme for foreign ex-combatants take into account the need for a coordinated regional approach;

- To secure, neutralize or destroy any weapons, ammunition or any other military materiel surrendered by the former combatants;

(*c*) Disarmament and dismantling of militias:

- To assist the Prime Minister in formulating and implementing the programme for the immediate disarmament and dismantling of militias consistent with paragraph 12 of resolution 1721 (2006), and to monitor its implementation;

- To secure, neutralize or destroy all weapons, ammunition and other military materiel surrendered by militias;

(*d*) Operations of identification of the population and registration of voters:

- To contribute, in close liaison with the working group mentioned in paragraph 17 of resolution 1721 (2006), to the security of the operations of identification of the population and registration of voters, within its capabilities and its areas of deployment;

(*e*) Reform of the security sector:

- To assist, in close liaison with the working group mentioned in paragraph 15 of resolution 1721 (2006), in formulating a plan on the restructuring of the defence and security forces and in preparing possible seminars on security sector reform to be organized by the African Union and the Economic Community of West African States;

(*f*) Protection of United Nations personnel, institutions and civilians:

- To protect United Nations personnel, installations and equipment, to ensure the security and freedom of movement of United Nations personnel and, without prejudice to the responsibility of the Government of Côte d'Ivoire, to protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment;

- To support, in coordination with the Prime Minister, the provision of security for members of the Government of Côte d'Ivoire;

(*g*) Monitoring of the arms embargo:

- To monitor the implementation of the measures imposed by paragraph 7 of resolution 1572 (2004), in cooperation with the Group of Experts established pursuant to resolution 1584 (2005) and, as appropriate, with the United Nations Mission in Liberia and Governments concerned, including by inspecting, as they deem it necessary and without notice, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings of Côte d'Ivoire;

– To collect, as appropriate, arms and any related materiel brought into Côte d'Ivoire in violation of the measures imposed by paragraph 7 of resolution 1572 (2004), and to dispose of such arms and related materiel as appropriate;

(*h*) Support for humanitarian assistance:

– To facilitate the free flow of people, goods and humanitarian assistance, inter alia, by helping to establish the necessary security conditions and taking into account the special needs of vulnerable groups, especially women, children and elderly people;

(*i*) Support for the redeployment of State administration:

– To facilitate, with the assistance of the African Union, the Economic Community of West African States and other international partners, the re-establishment by the Government of Côte d'Ivoire of the authority of the State throughout Côte d'Ivoire and of the institutions and public services essential for the social and economic recovery of the country;

(*j*) Support for the organization of open, free, fair and transparent elections:

– To provide all necessary technical assistance to the Prime Minister, his Government, the Independent Electoral Commission and other relevant agencies or institutes, with the support of the African Union, the Economic Community of West African States and other international partners, for the organization of open, free, fair and transparent elections, presidential and legislative, by 31 October 2007 at the latest, as referred to in resolution 1721 (2006);

– To provide technical information, advice and assistance, as appropriate, to the High Representative for the elections in Côte d'Ivoire;

– To contribute, within its capabilities and its areas of deployment, to the security of the areas where voting is to take place;

– To provide as necessary, within its capabilities and its areas of deployment, in close cooperation with the United Nations Development Programme, logistical support for the Independent Electoral Commission, in particular for the transportation of electoral material;

(*k*) Assistance in the field of human rights:

– To contribute to the promotion and protection of human rights in Côte d'Ivoire, with special attention to violence committed against children and women, to monitor and help to investigate human rights violations with a view to ending impunity, and to keep the Security Council Committee established pursuant to paragraph 14 of resolution 1572 (2004) (the Committee) regularly informed of developments in this regard;

(*l*) Public information;

– To promote the peace process as referred to in resolution 1721 (2006) throughout the territory of Côte d'Ivoire, through the mission's public information capacity, in particular its radio broadcasting capability through ONUCI FM;

– To monitor the Ivorian mass media, in particular with regard to any incidents of incitement by the media to hatred, intolerance and violence, and to keep the Committee regularly informed of the situation in this regard;

(*m*) Law and order:

– To assist the Government of Côte d'Ivoire in conjunction with the African Union, the Economic Community of West African States and other international organizations in restoring a civilian policing presence throughout Côte d'Ivoire, and to advise the Government of Côte d'Ivoire on the restructuring of the internal security services;

- To assist the Government of Côte d'Ivoire in conjunction with the African Union, the Economic Community of West African States and other international organizations in re-establishing the authority of the judiciary and the rule of law throughout Côte d'Ivoire;
- To support the Government of Côte d'Ivoire in ensuring the neutrality and impartiality of public media by providing, as necessary, security for the premises of Radio Télévision Ivoirienne;

3. *Decides further* to extend the provisions of paragraph 3 of resolution 1609 (2005) of 24 June 2005 and paragraph 2 of resolution 1682 (2006) of 2 June 2006 for the period specified in paragraph 1 above;

4. *Reaffirms its intention* to authorize the Secretary-General to redeploy on a temporary basis troops between the United Nations Mission in Liberia and the United Nations Operation in Côte d'Ivoire, as may be needed, in consultation with the Governments concerned and relevant troop-contributing countries, in accordance with the provisions of resolution 1609 (2005);

5. *Authorizes* the United Nations Operation in Côte d'Ivoire to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment;

6. *Requests* the United Nations Operation in Côte d'Ivoire to carry out its mandate in close liaison with the United Nations Mission in Liberia, including, especially, in the prevention of movements of arms and combatants across shared borders and the implementation of disarmament and demobilization programmes;

7. *Urges* the United Nations Operation in Côte d'Ivoire to take into account the rights of women and gender considerations as set out in Council resolution 1325 (2000) of 31 October 2000 as a cross-cutting issue, including through consultation with local and international women's groups, and requests the Secretary-General, where appropriate, to include in his reporting to the Council progress on gender mainstreaming throughout the United Nations Operation in Côte d'Ivoire and all other aspects relating to the situation of women and girls, especially in relation to the need to protect them from gender-based violence;

8. *Authorizes*, from the date of adoption of the present resolution, the French forces to use all necessary means in order to support the United Nations Operation in Côte d'Ivoire in accordance with the agreement reached between the United Nations Operation in Côte d'Ivoire and the French authorities, and in particular:

(*a*) To contribute to the general security of the area of activity of the impartial forces;

(*b*) To intervene at the request of the United Nations Operation in Côte d'Ivoire in support of its elements whose security may be threatened;

(*c*) In consultation with the United Nations Operation in Côte d'Ivoire, to intervene against belligerent actions, if security conditions so require, outside the areas of deployment of the United Nations Operation in Côte d'Ivoire;

(*d*) To help to protect civilians, in the deployment areas of their units;

(*e*) To contribute to monitoring the arms embargo established by resolution 1572 (2004);

(*f*) To contribute to the drawing up of a plan on the restructuring of the defence and security forces and to the preparation of possible seminars on security sector reform to be organized by the African Union and the Economic Community of West African States;

9. *Calls upon* all Ivorian parties to cooperate fully in the deployment and operations of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it, in particular by guaranteeing their safety, security and freedom of movement with unhindered and immediate access, as well as for associated personnel, throughout the territory of Côte d'Ivoire, to enable them to carry out fully their mandates;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5617th meeting.

Decisions

At its 5651st meeting, on 28 March 2007, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled "The situation in Côte d'Ivoire".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[328]

> "The Security Council welcomes the agreement signed by President Laurent Gbagbo and Mr. Guillaume Soro in Ouagadougou on 4 March 2007 under the facilitation of the Chairman of the Economic Community of West African States, President Blaise Compaoré of Burkina Faso.[329] It commends the parties signatory to the agreement for the spirit of compromise and the sense of responsibility they have displayed, and pays tribute to President Compaoré for his efforts to facilitate the conclusion of the agreement.
>
> "The Council takes note of the commitments of the parties to its resolutions on Côte d'Ivoire, including resolution 1721 (2006), and underlines that the Ouagadougou agreement provides a good basis for a comprehensive and all-inclusive settlement of the crisis in Côte d'Ivoire through the organization of credible elections.
>
> "The Council takes note of the recommendations of the Economic Community of West African States and of the African Union. It endorses the Ouagadougou agreement, and calls upon the Ivorian parties to implement it fully, in good faith and within the timetable set out in the agreement.
>
> "The Council commends the outgoing Prime Minister, Mr. Charles Konan Banny, whose tireless efforts permitted progress in the implementation of the peace process and contributed to restoring a climate of confidence in Côte d'Ivoire.
>
> "The Council takes note of the agreement among the parties on the institutional arrangements, as indicated by the letter dated 27 March 2007 from the Permanent Representative of Burkina Faso to the United Nations addressed to the President of the Security Council, and supports the appointment of Mr. Guillaume Soro as Prime Minister.
>
> "The Council expresses its readiness to take further steps, in the light of the progress achieved, in order to help the parties in implementing their commitments and to support the peace process in Côte d'Ivoire, in particular the electoral process. It requests the Secretary-General to submit to it by 15 May 2007 recommendations on the role that the United Nations should play to support the implementation of the peace process, taking into account the latest developments in Côte d'Ivoire."

At its 5676th meeting, on 18 May 2007, the Council decided to invite the representatives of Burkina Faso (Minister for National Security, representing the President in his capacity as Facilitator of the Ouagadougou Agreement) and Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

> "The situation in Côte d'Ivoire
>
> > "Thirteenth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2007/275)".

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[328] S/PRST/2007/8.

[329] S/2007/144, annex.

In a letter dated 11 June 2007, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Addis Ababa, Khartoum, Accra, Abidjan and Kinshasa.[330]

At its 5700th meeting, on 20 June 2007, the Council considered the item entitled:

"The situation in Côte d'Ivoire

> "Letter dated 11 June 2007 from the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council (S/2007/349)".

Resolution 1761 (2007)
of 20 June 2007

The Security Council,

Recalling its previous resolutions concerning the situation in Côte d'Ivoire, in particular resolution 1727 (2006) of 15 December 2006, and the relevant statements by its President,

Recalling also the final report of the Group of Experts on Côte d'Ivoire, whose mandate has been extended pursuant to paragraph 7 of resolution 1727 (2006),[331]

Determining that the situation in Côte d'Ivoire continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate of the Group of Experts on Côte d'Ivoire, as set out in resolution 1727 (2006), until 31 October 2007, and requests the Secretary-General to take the necessary administrative measures;

2. *Requests* the Group of Experts to submit a written update to the Security Council, through the Committee established pursuant to paragraph 14 of resolution 1572 (2004) of 15 November 2004, before 15 October 2007, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005) of 15 December 2005, with recommendations in this regard;

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5700th meeting.

Decision

At its 5711th meeting, on 29 June 2007, the Security Council decided to invite the representatives of Burkina Faso and Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Thirteenth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2007/275)".

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[330] The letter, which was issued as a Security Council document under the symbol S/2007/347, has been reproduced on page 77 of the present volume.

[331] See S/2007/349, annex.

Resolution 1763 (2007)
of 29 June 2007

The Security Council,

Recalling its previous resolutions and the statements by its President relating to the situation in Côte d'Ivoire,

Reaffirming its strong commitment to respect for the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Reaffirming its support to the impartial forces, namely the United Nations Operation in Côte d'Ivoire and the French forces supporting it,

Recalling its endorsement of the political agreement signed at Ouagadougou on 4 March 2007 by President Laurent Gbagbo and Mr. Guillaume Soro under the facilitation of the Chairman of the Economic Community of West African States, President Blaise Compaoré,[329]

Reaffirming its readiness to take further steps, in the light of the progress achieved, in order to help the parties in implementing their commitments and to support the peace process in Côte d'Ivoire, in particular the electoral process,

Having taken note of the report of the Secretary-General of 14 May 2007,[332]

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Operation in Côte d'Ivoire and the French forces supporting it shall be extended until 16 July 2007;

2. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5711th meeting.

Decisions

At its 5712th meeting, on 29 June 2007, the Security Council considered the item entitled "The situation in Côte d'Ivoire".

In accordance with the decision taken at the 5711th meeting, the President invited the representatives of Burkina Faso and Côte d'Ivoire to participate, without vote, in the discussion of the item.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[333]

> "The Security Council strongly condemns the attack committed on 29 June 2007 in Bouaké against the Prime Minister of Côte d'Ivoire, Mr. Guillaume Soro, that resulted in several deaths, and any attempt to destabilize the peace process by force. It stresses that the perpetrators of this criminal act must be brought to justice.
>
> "The Council recalls its support for the political agreement signed by President Laurent Gbagbo and Mr. Guillaume Soro at Ouagadougou on 4 March 2007 under the facilitation of the Chairman of the Economic Community of West African States, President Blaise Compaoré of Burkina Faso.[329] The Council stresses that it is critical that all parties

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[332] S/2007/275.

[333] S/PRST/2007/25.

continue to work within the framework of the Ouagadougou political agreement, which is the way to settle the crisis in Côte d'Ivoire."

At its 5716th meeting, on 16 July 2007, the Council decided to invite the representatives of Burkina Faso and Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

> "The situation in Côte d'Ivoire
>
> > "Thirteenth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2007/275)".

Resolution 1765 (2007)
of 16 July 2007

The Security Council,

Recalling its previous resolutions, in particular resolution 1739 (2007) of 10 January 2007, and the statements by its President relating to the situation in Côte d'Ivoire,

Reaffirming its strong commitment to respect for the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by President Laurent Gbagbo and Mr. Guillaume Soro at Ouagadougou on 4 March 2007 ("the Ouagadougou Political Agreement"),[329] and that it has supported the appointment of Mr. Soro as Prime Minister,

Paying tribute to the Chairman of the Economic Community of West African States, President Blaise Compaoré, for his continued efforts at facilitation of the inter-Ivorian direct dialogue that enabled, in particular, the signing of the Ouagadougou Political Agreement, and to other leaders of the region, commending and encouraging the continued efforts of the African Union and the Economic Community of West African States to promote peace and stability in Côte d'Ivoire, and reiterating its full support for them,

Reiterating its strong condemnation of any attempt to destabilize the peace process by force, in particular the attack committed on 29 June 2007 in Bouaké against the Prime Minister of Côte d'Ivoire, Mr. Guillaume Soro, that resulted in several deaths, and stressing that the perpetrators of such criminal acts must be brought to justice,

Having taken note of the report of the Secretary-General of 14 May 2007,[332]

Reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire,

Recalling its resolutions 1460 (2003) of 30 January 2003 and 1612 (2005) of 26 July 2005 on children and armed conflict and the subsequent conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties to the armed conflict in Côte d'Ivoire,[334]

Recalling also its resolution 1325 (2000) of 31 October 2000 on women and peace and security,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew the mandates of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it until 15 January 2008, in order to support the organization in

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[334] S/2007/93, annex.

Côte d'Ivoire of free, open, fair and transparent elections within the time frame set out in the Ouagadougou Political Agreement,[329] and expresses its readiness to renew them further as appropriate;

2. *Endorses* the recommendations contained in paragraphs 42 to 72 and 75 to 83 of the report of the Secretary-General of 14 May 2007,[332] which adapt the role of the United Nations Operation in Côte d'Ivoire to the new phase of the peace process in Côte d'Ivoire as set out in the Ouagadougou Political Agreement, and, accordingly, requests the United Nations Operation in Côte d'Ivoire, within its existing resources, to support the full implementation of the Ouagadougou Political Agreement, including by supporting the integrated command centre, the restoration of State administration throughout the country, the identification and voter registration processes, the electoral process, persons affected by the conflict, efforts to create a positive political environment, protection and promotion of human rights, and the economic recovery process of Côte d'Ivoire;

3. *Calls upon* all concerned parties to ensure that the protection of women and children is addressed in the implementation of the Ouagadougou Political Agreement as well as the post-conflict reconstruction and recovery phases, including continued monitoring and reporting of the situation of women and children;

4. *Invites* the signatories to the Ouagadougou Political Agreement to take the necessary steps to protect vulnerable civilian populations, including by guaranteeing the voluntary return, reinstallation, reintegration and security of displaced persons, with the support of the United Nations system, and to fulfil in this regard their commitments in accordance with the Ouagadougou Political Agreement and their obligations under international humanitarian law;

5. *Expresses its intention* to review by 15 October 2007 the mandates of the United Nations Operation in Côte d'Ivoire and the French forces supporting it, as well as the level of troops of the United Nations Operation in Côte d'Ivoire, in the light of the progress achieved in the implementation of the key steps of the peace process, and requests the Secretary-General to provide to the Security Council a report on those key steps before that date;

6. *Decides* to terminate the mandate of the High Representative for the elections in Côte d'Ivoire, decides, therefore, that the Special Representative of the Secretary-General for Côte d'Ivoire shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards, and requests the Secretary-General to take all the necessary steps so that the Special Representative has at his disposal a support cell providing him all the appropriate assistance to fulfil this task;

7. *Commends* the High Representative for the elections, Mr. Gérard Stoudmann, whose tireless efforts permitted progress in the implementation of the peace process and the preparation of the elections;

8. *Recalls* the importance of the provisions of the Ouagadougou Political Agreement, including paragraph 8.1 thereof, and urges the Ivorian political forces to rely on the mediation by the Facilitator for any major difficulty concerning the electoral process;

9. *Supports* the establishment, as agreed by the parties at the meeting of the Evaluation and Monitoring Committee of 11 May 2007 and the Facilitator, of an international consultative organ including the Special Representative of the Secretary-General, the resident coordinator of the United Nations system, and representatives of the World Bank, the International Monetary Fund, the European Union, the African Union, the African Development Bank, the Economic Community of West African States and France, to accompany the Ivorian political forces and the Facilitator in the implementation of the Ouagadougou Political Agreement, and notes that this organ shall participate in the meetings of the Evaluation and Monitoring Committee as an observer, and may be consulted at any time by the Facilitator;

10. *Encourages* the Facilitator, President Blaise Compaoré, to continue to support the process to settle the crisis in Côte d'Ivoire, welcomes his decision to appoint a special representative in Abidjan to follow up on the Ouagadougou Political Agreement, and requests the United Nations Operation in Côte d'Ivoire to assist him in the conduct of the facilitation, including by helping him, as appropriate and upon his request, to carry out his arbitration role according to the provisions of paragraph 8.1 of the Ouagadougou Political Agreement;

11. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5716th meeting.

SECURITY COUNCIL MISSION[335]

Decisions

In a letter dated 9 November 2006, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Afghanistan.[336]

At its 5570th meeting, on 22 November 2006, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled:

"Security Council mission

"Briefing by the head of the Security Council mission to Afghanistan".

At its 5581st meeting, on 7 December 2006, the Council decided to invite the representatives of Afghanistan, Canada, Finland, India, Iran (Islamic Republic of), Norway (State Secretary for Foreign Affairs) and Pakistan to participate, without vote, in the discussion of the item entitled:

"Security Council mission

"Report of the Security Council mission to Afghanistan (S/2006/935)".

In a letter dated 19 April 2007, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission on the Kosovo issue.[337]

At its 5672nd meeting, on 2 May 2007, the Council considered the item entitled:

"Security Council mission

"Briefing by the head of the Security Council mission on the Kosovo issue".

At its 5673rd meeting, on 10 May 2007, the Council considered the item entitled:

"Security Council mission

"Report of the Security Council mission on the Kosovo issue (S/2007/256)".

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[335] Resolutions or decisions on this question were also adopted by the Security Council in 2003, 2004, 2005 and during the period from 1 January to 31 July 2006.

[336] The letter, which was issued as a Security Council document under the symbol S/2006/875, has been reproduced on page 115 of the present volume. The mission took place from 11 to 16 November 2006 (see S/2006/935).

[337] The letter, which was issued as a Security Council document under the symbol S/2007/220, has been reproduced on page 91 of the present volume. The mission took place from 25 to 28 April 2007 (see S/2007/256).

In a letter dated 11 June 2007, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Addis Ababa, Khartoum, Accra, Abidjan and Kinshasa.[338]

At its 5706th meeting, on 26 June 2007, the Council considered the item entitled:

"Security Council mission

"Briefings by heads of the Security Council mission to Africa".

At its 5717th meeting, on 16 July 2007, the Council decided to invite the representatives of Côte d'Ivoire and the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"Security Council mission

"Report of the Security Council mission to Addis Ababa, Khartoum, Accra, Abidjan and Kinshasa, 14 to 21 June 2007 (S/2007/421 and Corr.1)".

At the same meeting, in response to the request dated 16 July 2007 from the representative of Ghana to the President of the Security Council, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Lila Ratsifandrihamanana, Permanent Observer of the African Union to the United Nations.

BRIEFINGS BY CHAIRMEN OF SUBSIDIARY BODIES OF THE SECURITY COUNCIL[339]

Decisions

At its 5538th meeting, on 28 September 2006, the Security Council decided to invite the representatives of Cuba, Finland, Switzerland and Venezuela (Bolivarian Republic of) (Minister for Foreign Affairs) to participate, without vote, in the discussion of the item entitled "Briefings by Chairmen of subsidiary bodies of the Security Council".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. César Mayoral, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, Ms. Ellen Margrethe Løj, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, and Mr. Peter Burian, Chairman of the Security Council Committee established pursuant to resolution 1540 (2004).

At its 5601st meeting, on 20 December 2006, the Council considered the item entitled "Briefings by Chairmen of subsidiary bodies of the Security Council".

At its 5679th meeting, on 22 May 2007, the Council decided to invite the representatives of Afghanistan, Argentina, Australia, Cuba, Germany, Israel, Japan, Lebanon, Liechtenstein, the Republic of Korea, Switzerland, the Syrian Arab Republic, Venezuela (Bolivarian Republic of) and Viet Nam to participate, without vote, in the discussion of the item entitled "Briefings by Chairmen of subsidiary bodies of the Security Council".[340]

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[338] The letter, which was issued as a Security Council document under the symbol S/2007/347, has been reproduced on page 77 of the present volume. The mission took place from 14 to 21 June 2007 (see S/2007/421 and Corr.1).

[339] Resolutions or decisions on this question were also adopted by the Security Council in 2003, 2004, 2005 and during the period from 1 January to 31 July 2006.

[340] Rwanda submitted a request to be invited to participate, which it subsequently withdrew.

NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION[341]

Decisions

At its 5635th meeting, on 23 February 2007, the Security Council decided to invite the representatives of Argentina, Australia, Bangladesh, Belarus, Brazil, Cuba, El Salvador, Germany, Guatemala, Iran (Islamic Republic of), Israel, Japan, New Zealand, Norway, Pakistan, the Republic of Korea, Uruguay and Viet Nam to participate, without vote, in the discussion of the item entitled:

> "Non-proliferation of weapons of mass destruction
>
> "Implementation of resolutions 1540 (2004) and 1673 (2006)
>
> "Letter dated 12 February 2007 from the Permanent Representative of Slovakia to the United Nations addressed to the Secretary-General (S/2007/84)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Nobuaki Tanaka, Under-Secretary-General for Disarmament Affairs, and Mr. Gustavo Zlauvinen, Representative of the Director General of the International Atomic Energy Agency to the United Nations.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Rogelio Pfirter, Director-General of the Organization for the Prohibition of Chemical Weapons, and Mr. Michael Schmitz, Director of Compliance and Facilitation of the World Customs Organization.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[342]

> "The Security Council affirms its determination to promote increased multilateral cooperation, as an important means of enhancing implementation by States of resolution 1540 (2004) of 28 April 2004.
>
> "The Council recalls its resolution 1540 (2004) and its resolution 1673 (2006) of 27 April 2006 and stresses the importance of compliance with resolution 1540 (2004) through the achievement of the implementation of its requirements.
>
> "The Council acknowledges with appreciation the activities of international organizations with expertise in the field of non-proliferation of nuclear, chemical and biological weapons and their means of delivery covered by resolution 1540 (2004), in particular the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons, especially in providing assistance in the implementation of that resolution, without altering their mandates and responsibilities.
>
> "The Council takes note of the relevant activities of the World Customs Organization and the relevant international arrangements. The Council also notes with appreciation the seminars and workshops that have been held with countries and regional and subregional organizations in order to promote experience-sharing and the full implementation of resolution 1540 (2004).
>
> "The Council is mindful of the need further to explore with international, regional and subregional organizations experience-sharing and lessons learned in the areas covered by

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[341] Resolutions or decisions on this question were also adopted by the Security Council in 2004, 2005 and during the period from 1 January to 31 July 2006.

[342] S/PRST/2007/4.

resolution 1540 (2004), and the availability of programmes which might facilitate implementation of the resolution.

"The Council reiterates its determination to enhance its cooperation with international organizations and to develop preferred mechanisms for cooperating with those organizations on a case-by-case basis, reflecting the variation in the capacity and mandate of each organization, including in assisting States in providing the Security Council Committee established pursuant to resolution 1540 (2004) with information it still encourages on the ongoing process of implementation of resolution 1540 (2004), as set out in the report of the Committee of 25 April 2006,[343] as well as in assisting Member States in their capacity-building and planning of the process of implementation of resolution 1540 (2004), in accordance with the provisions of paragraph 7 of resolution 1540 (2004) and paragraph 5 of resolution 1673 (2006)."

REPORTS OF THE SECRETARY-GENERAL ON THE SUDAN[344]

Decisions

At its 5517th meeting, held in private on 28 August 2006, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5517th meeting, held in private on 28 August 2006, the Security Council considered the item entitled 'Reports of the Secretary-General on the Sudan'.

"The President extended invitations under rule 39 of the provisional rules of procedure of the Council to the Chargé d'affaires a.i. of the Office of the Permanent Observer of the African Union to the United Nations, Mrs. Alice Mungwa, the Permanent Observer for the League of Arab States to the United Nations, Mr. Yahya Mahmassani, and the Permanent Observer for the Organization of the Islamic Conference to the United Nations, Mr. Abdul Wahab.

"The President also extended invitations under rule 39 of the provisional rules of procedure of the Council to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations, and Mr. Jan Egeland, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

"The members of the Council heard briefings by Mr. Annabi and Mr. Egeland.

"Members of the Council, Mrs. Mungwa, Mr. Mahmassani and Mr. Wahab had an exchange of views.

"Members of the Council would welcome further exchange of views, including with the Government of the Sudan, and at higher levels of participation of regional organizations."

At its 5519th meeting, on 31 August 2006, the Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on Darfur (S/2006/591)".

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[343] See S/2006/257 and Corr.1.

[344] Resolutions or decisions on this question were also adopted by the Security Council in 2004, 2005 and during the period from 1 January to 31 July 2006.

Resolution 1706 (2006)
of 31 August 2006

The Security Council,

Recalling its previous resolutions concerning the situation in the Sudan, in particular resolutions 1556 (2004) of 30 July 2004, 1564 (2004) of 18 September 2004, 1574 (2004) of 19 November 2004, 1590 (2005) of 24 March 2005, 1591 (2005) of 29 March 2005, 1593 (2005) of 31 March 2005, 1663 (2006) of 24 March 2006, 1665 (2006) of 29 March 2006 and 1679 (2006) of 16 May 2006, and the statements by its President concerning the Sudan,

Recalling also its resolution 1325 (2000) of 31 October 2000 on women and peace and security, resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel, resolution 1612 (2005) of 26 July 2005 on children and armed conflict, and resolution 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict, which reaffirms, inter alia, the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome,[345] as well as the report of its mission to the Sudan and Chad from 4 to 10 June 2006,[346]

Reaffirming its strong commitment to the sovereignty, unity, independence and territorial integrity of the Sudan, which would be unaffected by transition to a United Nations operation in Darfur, and to the cause of peace, expressing its determination to work with the Government of National Unity, in full respect of its sovereignty, to assist in tackling the various problems confronting the Sudan and that a United Nations operation in Darfur shall have, to the extent possible, a strong African participation and character,

Welcoming the efforts of the African Union to find a solution to the crisis in Darfur, including through the success of the African Union-led Inter-Sudanese Peace Talks on the Conflict in Darfur in Abuja, in particular the framework agreed between the parties for a resolution of the conflict in Darfur (the Darfur Peace Agreement), commending the efforts of the signatories to the Darfur Peace Agreement, expressing its belief that the Agreement provides a basis for sustained security in Darfur, reiterating its welcome of the statement, made on 9 May 2006 by the representative of the Sudan at the special meeting of the Security Council on Darfur, of the Government of National Unity's full commitment to implementing the Agreement,[347] stressing the importance of launching, with the African Union, the Darfur-Darfur dialogue and consultation as soon as possible, and recognizing that international support for the implementation of the Agreement is critically important to its success,

Commending the efforts of the African Union for the successful deployment of the African Union Mission in the Sudan, as well as the efforts of Member States and regional and international organizations that have assisted it in its deployment, and the role of the African Union Mission in reducing large-scale organized violence in Darfur, recalling the decision of the Peace and Security Council of the African Union of 10 March 2006,[348] and its decision of 27 June 2006, as outlined in paragraph 10 of its communiqué,[349] that the African Union is ready to review the mandate of the Mission in the event that the ongoing consultations between the Government of National Unity and the United Nations conclude on an agreement for a transition to a United Nations peacekeeping operation, stressing the need for the Mission to assist implementation of the Darfur Peace Agreement until transition to the United Nations force in Darfur is completed, welcoming the decision of the Peace and Security Council of 27 June 2006 on strengthening the mandate and tasks of the Mission, including on the protection of civilians, and considering that the Mission needs urgent reinforcing,

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[345] See General Assembly resolution 60/1.

[346] S/2006/433.

[347] See S/PV.5434.

[348] See S/2006/156, annex.

[349] S/2006/461, annex II.

Reaffirming its concern that the ongoing violence in Darfur might further negatively affect the rest of the Sudan as well as the region, in particular Chad and the Central African Republic, and stressing that regional security aspects must be addressed to achieve long-lasting peace in Darfur,

Remaining deeply concerned over the recent deterioration of relations between the Sudan and Chad, calling upon the Governments of the two countries to abide by their obligations under the Tripoli Agreement of 8 February 2006[350] and the agreement between the Sudan and Chad signed at N'djamena on 26 July 2006[351] and to begin implementing the confidence-building measures which they have voluntarily agreed upon, welcoming the recent re-establishment of diplomatic relations between the Sudan and Chad, and calling upon all States in the region to cooperate in ensuring regional stability,

Reiterating its strong condemnation of all violations of human rights and international humanitarian law in Darfur, and calling upon the Government of National Unity to take urgent action to tackle gender-based violence in Darfur, including action towards implementing its Action Plan to Combat Violence Against Women in Darfur, with particular focus on the rescission of Form 8 and access to legal redress,

Expressing its deep concern for the security of humanitarian aid workers and their access to populations in need, including refugees, internally displaced persons and other war-affected populations, and calling upon all parties, in particular the Government of National Unity, to ensure, in accordance with relevant provisions of international law, the full, safe and unhindered access of relief personnel to all those in need in Darfur as well as the delivery of humanitarian assistance, in particular to internally displaced persons and refugees,

Taking note of the communiqués of 12 January, 10 March,[348] 15 May[352] and 27 June 2006[349] of the Peace and Security Council regarding transition of the African Union Mission in the Sudan to a United Nations operation,

Taking note also of the report of the Secretary-General of 28 July 2006 on Darfur,[353]

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

1. *Decides*, without prejudice to its existing mandate and operations as provided for in resolution 1590 (2005) and in order to support the early and effective implementation of the Darfur Peace Agreement, that the mandate of the United Nations Mission in the Sudan shall be expanded as specified in paragraphs 8, 9 and 12 below, that it shall deploy to Darfur, and therefore invites the consent of the Government of National Unity for this deployment, and urges Member States to provide the capability for an expeditious deployment;

2. *Requests* the Secretary-General to arrange the rapid deployment of additional capabilities for the United Nations Mission in the Sudan, in order that it may deploy in Darfur, in accordance with the recommendation contained in his report of 28 July 2006;[353]

3. *Decides* that the United Nations Mission in the Sudan shall be strengthened by up to 17,300 military personnel and by an appropriate civilian component including up to 3,300 civilian police personnel and up to 16 formed police units, and expresses its determination to keep the strength and structure of the Mission under regular review, taking into account the evolution of the situation on the ground and without prejudice to its current operations and mandate as provided for in resolution 1590 (2005);

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[350] Tripoli Agreement to Settle the Dispute between the Republic of Chad and the Republic of the Sudan (S/2006/103, annex II).

[351] S/2006/637, annex II.

[352] S/2006/307, annex.

[353] S/2006/591.

4. *Expresses its intention* to consider authorizing possible additional temporary reinforcements of the military component of the United Nations Mission in the Sudan, at the request of the Secretary-General, within the limits of the troop levels recommended in paragraph 87 of his report of 28 July 2006;

5. *Requests* the Secretary-General to consult jointly with the African Union, in close and continuing consultation with the parties to the Darfur Peace Agreement, including the Government of National Unity, on a plan and timetable for transition from the African Union Mission in the Sudan to a United Nations operation in Darfur; decides that those elements outlined in paragraphs 40 to 58 of the report of the Secretary-General of 28 July 2006 shall begin to be deployed no later than 1 October 2006, that thereafter, as part of the process of transition to a United Nations operation, additional capabilities shall be deployed as soon as feasible and that the United Nations Mission in the Sudan shall take over from the African Union Mission the responsibility for supporting the implementation of the Darfur Peace Agreement upon the expiration of the mandate of the African Union Mission but in any event no later than 31 December 2006;

6. *Notes* that the status-of-forces agreement for the United Nations Mission in the Sudan with the Sudan, as outlined in resolution 1590 (2005), shall apply to the operations of the Mission throughout the Sudan, including in Darfur;

7. *Requests* the Secretary-General to take the necessary steps to strengthen the African Union Mission in the Sudan through the use of existing and additional United Nations resources with a view to transition to a United Nations operation in Darfur; and authorizes the Secretary-General during this transition to implement the longer-term support to the African Union Mission outlined in the report of the Secretary-General of 28 July 2006, including provision of air assets, ground mobility package, training, engineering and logistics, mobile communications capacity and broad public information assistance;

8. *Decides* that the mandate of the United Nations Mission in the Sudan in Darfur shall be to support implementation of the Darfur Peace Agreement of 5 May 2006 and the N'djamena Agreement on Humanitarian Ceasefire on the Conflict in Darfur of 8 April 2004 ("the Agreements"), including by performing the following tasks:

(*a*) To monitor and verify the implementation by the parties of chapter 3 ("Comprehensive Ceasefire and Final Security Arrangements") of the Darfur Peace Agreement and the N'djamena Agreement on Humanitarian Ceasefire on the Conflict in Darfur;

(*b*) To observe and monitor movement of armed groups and redeployment of forces in areas of deployment of the Mission by ground and aerial means in accordance with the Agreements;

(*c*) To investigate violations of the Agreements and to report violations to the Ceasefire Commission; as well as to cooperate and coordinate, together with other international actors, with the Ceasefire Commission, the Joint Commission and the Joint Humanitarian Facilitation and Monitoring Unit established pursuant to the Agreements, including through provision of technical assistance and logistical support;

(*d*) To maintain, in particular, a presence in key areas, such as buffer zones established pursuant to the Darfur Peace Agreement, areas inside internally displaced persons camps and demilitarized zones around and inside internally displaced persons camps, in order to promote the re-establishment of confidence, to discourage violence, in particular by deterring use of force;

(*e*) To monitor transborder activities of armed groups along the Sudanese borders with Chad and the Central African Republic, in particular through regular ground and aerial reconnaissance activities;

(*f*) To assist with development and implementation of a comprehensive and sustainable programme for disarmament, demobilization and reintegration of former combatants and women and children associated with combatants, as called for in the Darfur Peace Agreement and in accordance with resolutions 1556 (2004) and 1564 (2004);

(*g*) To assist the parties, in cooperation with other international actors, in the preparations for and conduct of referendums provided for in the Darfur Peace Agreement;

(*h*) To assist the parties to the Agreements in promoting understanding of the peace accord and of the role of the Mission, including by means of an effective public information campaign, targeted at all sectors of society, in coordination with the African Union;

(*i*) To cooperate closely with the Chairperson of the Darfur-Darfur Dialogue and Consultation, provide support and technical assistance to him, and coordinate the activities of other United Nations agencies to this effect, as well as to assist the parties to the Darfur-Darfur Dialogue and Consultation in addressing the need for an all-inclusive approach, including the role of women, towards reconciliation and peacebuilding;

(*j*) To assist the parties to the Darfur Peace Agreement, in coordination with bilateral and multilateral assistance programmes, in restructuring the police service in the Sudan, consistent with democratic policing, to develop a police training and evaluation programme, and to otherwise assist in the training of civilian police;

(*k*) To assist the parties to the Darfur Peace Agreement in promoting the rule of law, including an independent judiciary, and the protection of the human rights of all people of the Sudan through a comprehensive and coordinated strategy with the aim of combating impunity and contributing to long-term peace and stability and to assist the parties to the Agreement to develop and consolidate the national legal framework;

(*l*) To ensure an adequate human rights and gender presence, capacity and expertise within the Mission to carry out human rights promotion, civilian protection and monitoring activities that include particular attention to the needs of women and children;

9. *Decides also* that the mandate of the United Nations Mission in the Sudan in Darfur shall also include the following:

(*a*) To facilitate and coordinate in close cooperation with relevant United Nations agencies, within its capabilities and in its areas of deployment, the voluntary return of refugees and internally displaced persons, and humanitarian assistance, inter alia, by helping to establish the necessary security conditions in Darfur;

(*b*) To contribute towards international efforts to protect, promote and monitor human rights in Darfur, as well as to coordinate international efforts towards the protection of civilians with particular attention to vulnerable groups, including internally displaced persons, returning refugees, and women and children;

(*c*) To assist the parties to the Agreements, in cooperation with other international partners in the mine action sector, by providing humanitarian demining assistance, technical advice, and coordination, as well as mine awareness programmes targeted at all sectors of society;

(*d*) To assist in addressing regional security issues in close liaison with international efforts to improve the security situation in the neighbouring regions along the borders between the Sudan and Chad and between the Sudan and the Central African Republic, including through the establishment of a multidimensional presence consisting of political, humanitarian, military and civilian police liaison officers in key locations in Chad, including in internally displaced persons and refugee camps, and, if necessary, in the Central African Republic, and to contribute to the implementation of the agreement between the Sudan and Chad signed on 26 July 2006;[351]

10. *Calls upon* all Member States to ensure the free, unhindered and expeditious movement to the Sudan of all personnel, as well as equipment, provisions, supplies and other

goods, including vehicles and spare parts, which are for the exclusive and official use of the United Nations Mission in the Sudan in Darfur;

11. *Requests* the Secretary-General to keep the Security Council regularly informed of the progress in implementing the Darfur Peace Agreement, respect for the ceasefire, and the implementation of the mandate of the United Nations Mission in the Sudan in Darfur, and to report to the Council, as appropriate, on the steps taken to implement the present resolution and any failure to comply with its demands;

12. Acting under Chapter VII of the Charter of the United Nations:

(*a*) *Decides* that the United Nations Mission in the Sudan is authorized to use all necessary means, in the areas of deployment of its forces and as it deems within its capabilities:

- To protect United Nations personnel, facilities, installations and equipment, to ensure the security and freedom of movement of United Nations personnel, humanitarian workers, Assessment and Evaluation Commission personnel, to prevent disruption of the implementation of the Darfur Peace Agreement by armed groups, without prejudice to the responsibility of the Government of the Sudan, and to protect civilians under threat of physical violence;
- In order to support early and effective implementation of the Darfur Peace Agreement, to prevent attacks and threats against civilians;
- To seize or collect, as appropriate, arms or related materiel whose presence in Darfur is in violation of the Agreements and the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004), and to dispose of such arms and related materiel as appropriate;

(*b*) *Requests* that the Secretary-General and the Governments of Chad and the Central African Republic conclude status-of-forces agreements as soon as possible, taking into consideration General Assembly resolution 58/82 of 9 December 2003 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, and decides that, pending the conclusion of such an agreement with either country, the model status-of-forces agreement dated 9 October 1990[354] shall apply provisionally with respect to forces of the Mission operating in that country;

13. *Requests* the Secretary-General to report to the Council on the protection of civilians in refugee and internally displaced persons camps in Chad and on how to improve the security situation on the Chadian side of the border with the Sudan;

14. *Calls upon* the parties to the Darfur Peace Agreement to respect their commitments and implement the Agreement without delay, urges those parties that have not signed the Agreement to do so without delay and not to act in any way that would impede implementation of the Agreement, and reiterates its intention to take, including in response to a request by the African Union, strong and effective measures, such as an assets freeze or travel ban, against any individual or group that violates or attempts to block the implementation of the Agreement or commits human rights violations;

15. *Decides* to remain seized of the matter.

Adopted at the 5519th meeting
by 12 votes to none, with 3 abstentions
(China, Qatar and Russian Federation).

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[354] A/45/594, annex.

Decisions

At its 5520th meeting, on 11 September 2006, the Security Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on Darfur (S/2006/591 and Add.1)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer for the League of Arab States to the United Nations, Mr. Abdul Wahab, Permanent Observer for the Organization of the Islamic Conference to the United Nations, and Mrs. Alice Mungwa, Chargé d'affaires a.i. of the Office of the Permanent Observer of the African Union to the United Nations.

At its 5528th meeting, on 18 September 2006, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the Sudan (S/2006/728)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and Head of the United Nations Mission in the Sudan.

At its 5532nd meeting, on 22 September 2006, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the Sudan (S/2006/728)".

Resolution 1709 (2006)
of 22 September 2006

The Security Council,

Recalling its previous resolutions, in particular resolutions 1590 (2005) of 24 March 2005, 1627 (2005) of 23 September 2005, 1653 (2006) of 27 January 2006, 1663 (2006) of 24 March 2006, 1679 (2006) of 16 May 2006 and 1706 (2006) of 31 August 2006, and the statements by its President, in particular that of 3 February 2006,[355] concerning the situation in the Sudan,

Reaffirming its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan and to the cause of peace,

Noting with deep concern the restrictions placed on movements and materiel of the United Nations Mission in the Sudan and the adverse impact that such restrictions have on the ability of the Mission to perform its mandate effectively,

Expressing its grave concern over the continued deterioration of the humanitarian situation in Darfur, and reiterating in the strongest terms the need for all parties to the conflict in Darfur to put an end to the violence and atrocities in that region,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

1. *Decides* to extend the mandate of the United Nations Mission in the Sudan until 8 October 2006, with the intention to renew it for further periods;

2. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5532nd meeting.

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[355] S/PRST/2006/5.

Decision

At its 5543rd meeting, on 29 September 2006, the Security Council considered the item entitled "Reports of the Secretary-General on the Sudan".

Resolution 1713 (2006)
of 29 September 2006

The Security Council,

Recalling its previous resolutions concerning the situation in Sudan, in particular resolutions 1556 (2004) of 30 July 2004, 1591 (2005) of 29 March 2005, 1651 (2005) of 21 December 2005 and 1665 (2006) of 29 March 2006, and the statements by its President concerning the Sudan,

Stressing again its firm commitment to the cause of peace throughout the Sudan, full implementation of the Comprehensive Peace Agreement of 9 January 2005,[356] full implementation of the framework agreed between the parties for a resolution of the conflict in Darfur (the Darfur Peace Agreement), and an end to the violence and atrocities in Darfur,

Urging those parties that have not signed the Darfur Peace Agreement to do so without delay and not act in any way that would impede the implementation of the Agreement, and further urging that those that have signed the Agreement to implement their obligations without delay,

Deploring the ongoing violence, impunity and consequent deterioration of the humanitarian situation, reiterating its deep concern about the security of civilians and humanitarian aid workers and about humanitarian access to populations in need, and calling upon all parties in Darfur to cease offensive actions immediately and to refrain from further violent attacks,

Commending the efforts of, and reiterating its full support for, the African Union, the Secretary-General and the leaders of the region to promote peace and stability in Darfur,

Recalling the midterm briefing of 25 July 2006 by the Panel of Experts appointed by the Secretary-General pursuant to paragraph 3 (*b*) of resolution 1591 (2005) and extended by resolutions 1651 (2005) and 1665 (2006), anticipating the receipt of the final report of the Panel presented on 31 August 2006 to the Security Council Committee established pursuant to resolution 1591 (2005) and currently under consideration, and expressing its intent to study the recommendations of the Panel further and to consider appropriate next steps,

Emphasizing the need to respect the provisions of the Charter of the United Nations concerning privileges and immunities, and the Convention on the Privileges and Immunities of the United Nations,[357] as applicable to United Nations operations and persons engaged in such operations,

Reaffirming its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan, and recalling the importance of the principles of good-neighbourliness, non-interference and cooperation in the relations among States in the region,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter,

1. *Decides* to extend until 29 September 2007 the mandate of the Panel of Experts originally appointed pursuant to resolution 1591 (2005), previously extended by resolutions 1651 (2005) and 1665 (2006), and requests the Secretary-General to appoint a fifth member to enable the Panel to better carry out its mission, and to take the necessary administrative measures;

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[356] S/2005/78, annex.

[357] General Assembly resolution 22 A (I).

2. *Requests* the Panel of Experts to provide, no later than 29 March 2007, a midterm briefing on its work, and no later than ninety days after the adoption of the present resolution an interim report to the Security Council Committee established pursuant to paragraph 3 (*a*) of resolution 1591 (2005), and no later than thirty days prior to the termination of its mandate a final report to the Council with its findings and recommendations;

3. *Urges* all States, relevant United Nations bodies, the African Union and other interested parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on implementation of the measures imposed by resolutions 1556 (2004) and 1591 (2005);

4. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5543rd meeting.

Decision

At its 5545th meeting, on 6 October 2006, the Security Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the Sudan (S/2006/728)".

Resolution 1714 (2006)
of 6 October 2006

The Security Council,

Recalling its previous resolutions, in particular resolutions 1590 (2005) of 24 March 2005, 1627 (2005) of 23 September 2005, 1653 (2006) of 27 January 2006, 1663 (2006) of 24 March 2006, 1679 (2006) of 16 May 2006, 1706 (2006) of 31 August 2006 and 1709 (2006) of 22 September 2006, and the statements by its President, in particular that of 3 February 2006,[355] concerning the situation in the Sudan,

Reaffirming its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan and to the cause of peace,

Welcoming the progress in the implementation of security arrangements by the parties to the Comprehensive Peace Agreement of 9 January 2005,[356] and calling upon the parties to urgently accelerate progress on implementing these and other aspects of the Agreement,

Welcoming also the full deployment of United Nations forces within the United Nations Mission in the Sudan in those areas of operation in support of the Comprehensive Peace Agreement, and acknowledging the commitment by troop-contributing countries in support of this mission,

Welcoming further the improving humanitarian situation in southern Sudan resulting from progress in the implementation of the Comprehensive Peace Agreement,

Noting with concern the restrictions placed on the movements and materiel of the Mission by the Government of the Sudan and the adverse impact that such restrictions have on the ability of the Mission to perform its mandate effectively,

Expressing its grave concern over the recruitment and use of children in conflict in the Sudan, particularly by other armed groups in southern Sudan,

Expressing its grave concern also over the continued deterioration of the humanitarian situation in Darfur, and reiterating in the strongest terms the need for all parties to the conflict in Darfur, including non-parties to the Darfur Peace Agreement, to put an end to the violence and atrocities in that region, *Welcoming* the decision of the Peace and Security Council of the African Union, at its sixty-third meeting, held on 20 September 2006, to extend the mandate of the African Union Mission in the Sudan until 31 December 2006,

Encouraging the efforts of the Secretary-General and the African Union to implement those provisions of resolution 1706 (2006) on United Nations assistance to the African Union Mission in the Sudan, and calling upon the parties to the Darfur Peace Agreement and all other parties in Darfur to facilitate this process,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

1. *Decides* to extend the mandate of the United Nations Mission in the Sudan until 30 April 2007, with the intention to renew it for further periods;

2. *Requests* the Secretary-General to report to the Security Council every three months on the implementation of the mandate of the Mission;

3. *Calls upon* the parties to the Comprehensive Peace Agreement,[356] the Darfur Peace Agreement and the N'djamena Humanitarian Ceasefire Agreement to respect their commitments and implement fully all aspects of the Agreements without delay, and calls upon those parties that have not signed the Darfur Peace Agreement to do so without delay and not to act in any way that would impede implementation of the Agreement;

4. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5545th meeting.

Decisions

At its 5589th meeting, on 14 December 2006, the Security Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.

At its 5590th meeting, held in private on 14 December 2006, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5590th meeting, held in private on 14 December 2006, the Security Council considered the item entitled 'Reports of the Secretary-General on the Sudan'.
>
> "In accordance with the decision taken at the 5589th meeting held earlier on 14 December 2006, the President extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.
>
> "The members of the Council and Mr. Moreno-Ocampo had an exchange of views."

At its 5598th meeting, on 19 December 2006, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[358]

> "The Security Council endorses the conclusions of the Addis Ababa high-level consultation on the situation in Darfur of 16 November 2006 and the communiqué of the

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[358] S/PRST/2006/55.

66th meeting of the Peace and Security Council of the African Union, held in Abuja on 30 November 2006.[359] The Security Council welcomes the stated commitment of the Government of National Unity to the conclusions and the communiqué.

"The Council calls for the conclusions and the communiqué to be implemented by all parties without delay, and to this end calls upon all parties to facilitate, per the Addis Ababa and Abuja agreements, the immediate deployment of the United Nations light and heavy support packages to the African Union Mission in the Sudan and a hybrid operation in Darfur, for which backstopping and command and control structures and systems will be provided by the United Nations. The Council requests the Secretary-General to keep it updated.

"The Council reaffirms its deep concern about the worsening security situation in Darfur and its repercussions in the region. It stresses that a peaceful settlement to the conflict in Darfur lies in a comprehensive approach with the concerted efforts of all relevant parties, in accordance with the Darfur Peace Agreement, and will contribute to restoring security and stability in the region."

On 17 April 2007, the President of the Security Council addressed the following letter to the Secretary-General:[360]

"The Security Council welcomes the confirmation in the letter dated 16 April 2007 from the representative of the Sudan that the Government of the Sudan accepts in full the heavy support package for the African Union Mission in the Sudan proposed by the African Union and the United Nations (see annex).

"The Council recalls the statement by its President of 19 December 2006[358] welcoming the commitment of the Government of National Unity in the Sudan to the conclusions of the Addis Ababa high-level consultation on the situation in Darfur and the communiqué of the 66th meeting of the Peace and Security Council of the African Union.[359] The Security Council reaffirms its endorsement of those agreements, including the immediate deployment of the light support package and heavy support package to the African Union Mission in the Sudan and a hybrid operation in Darfur. The Council further endorses the final report on the African Union/United Nations consultations on the United Nations proposed heavy support package to the African Union Mission in the Sudan of 21 January 2007 and requests that you take all necessary steps to implement the arrangements specified in the report.

"The Council supports, in particular, the proposals made in section VI, paragraphs 35 to 41, of your report of 23 February 2007 on the situation in Darfur,[361] with respect to the heavy support package, and urges their implementation through the use of additional and existing United Nations resources.

"The Council reaffirms that there is no military solution for the parties to end the crisis in Darfur. The Council endorses the approach in the Addis Ababa conclusions of an immediate ceasefire, a reinvigorated political process and the deployment of an effective hybrid African Union/United Nations peacekeeping operation in Darfur, including the role envisaged for the tripartite mechanism. The Council welcomes the appointment of the African Union and United Nations envoys for the Darfur peace process and calls for their work to advance with all possible speed and with the cooperation of all relevant groups.

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[359] S/2006/961, annex.

[360] S/2007/212.

[361] S/2007/104.

"Annex

"Letter dated 16 April 2007 from the Permanent Representative of the Sudan to the United Nations addressed to the Secretary-General

"With reference to the high-level technical meeting held in Addis Ababa on 9 April 2007 regarding the heavy support package to the African Union Mission in the Sudan, and the options and clarifications given during that meeting, I am pleased, upon instructions from my Government, to convey to you Sudan's approval of the helicopters component.

"It is the sincere hope of the Sudan that implementation of the heavy support package will proceed expeditiously."

At its 5670th meeting, on 30 April 2007, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the Sudan (S/2007/213)".

Resolution 1755 (2007)
of 30 April 2007

The Security Council,

Recalling its previous resolutions, in particular resolutions 1590 (2005) of 24 March 2005, 1627 (2005) of 23 September 2005, 1653 (2006) of 27 January 2006, 1663 (2006) of 24 March 2006, 1679 (2006) of 16 May 2006, 1706 (2006) of 31 August 2006, 1709 (2006) of 22 September 2006 and 1714 (2006) of 6 October 2006,

Recalling also its resolution 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict, which reaffirms, inter alia, the relevant provisions of the 2005 World Summit Outcome,[345] resolution 1612 (2005) of 26 July 2005 on children and armed conflict, resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel, and resolution 1325 (2000) of 31 October 2000 on women and peace and security,

Reaffirming its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan and to the cause of peace,

Welcoming the progress in the implementation of elements of the Comprehensive Peace Agreement of 9 January 2005,[356] in particular overall compliance with the ceasefire this year, the progress made in the establishment of the institutional framework provided for in the power-sharing protocol, the adoption of a budget by the authorities of Southern Sudan and the introduction of a new currency of the Sudan,

Recalling the commitment of the international community to support the Comprehensive Peace Agreement process, including through development aid, taking note of the meeting of the Sudan Consortium that was held from 19 to 21 March 2007 in Khartoum and Juba, and calling upon donors to continue to support the implementation of the Agreement,

Stressing that elections and force redeployment will be important milestones in the implementation of the Comprehensive Peace Agreement, that meeting commitments against both in 2007 will be central to the credibility of the Agreement, and that urgent action is needed to accelerate preparations for elections,

Calling upon the Government of National Unity and the international community to support a successful elections process,

Welcoming the first organized returns of internally displaced persons from Khartoum to Southern Kordofan and Southern Sudan, *Welcoming also* the full deployment in Southern Sudan of the United Nations Mission in the Sudan in support of the Comprehensive Peace Agreement, and acknowledging the continued commitment by troop-contributing countries in support of this mission,

Reiterating its concern over the restrictions and bureaucratic impediments placed on the movements and materiel of the Mission and the adverse impact that such restrictions and impediments have on the ability of the Mission to perform its mandate effectively and on the ability of the humanitarian community to reach affected persons, and calling upon the Government of National Unity to abide by its international obligations in this regard, as well as those set out in the status-of-forces agreement,

Expressing its grave concern over the continued deterioration of the humanitarian situation in Darfur and the impact on the region, condemning continued violent attacks on civilians, including displaced persons, refugees, women, children, the elderly and humanitarian workers, and reiterating in the strongest terms the need for all parties to the conflict in Darfur, including non-parties to the Darfur Peace Agreement, to put an end to the violence and atrocities in Darfur and the region,

Expressing its concern over the information about the treatment following the arrests and detentions on 19 January 2007 of personnel from the United Nations, the African Union Mission in the Sudan and international non-governmental organizations in Nyala, South Darfur, and calling for the Government of National Unity to respect its commitment to cooperate with the United Nations in the investigation of this incident,

Welcoming the communiqué signed by the United Nations and the Government of National Unity in Khartoum on 28 March 2007 to support, protect and facilitate all humanitarian operations in Darfur, and calling for its immediate implementation,

Commending the efforts of the African Union for successful deployment of the African Union Mission in the Sudan, despite exceptionally difficult circumstances, and condemning the recent fatal attacks on the African Union Mission,

Expressing its full support for the coordinated efforts of the United Nations and African Union Special Envoys for Darfur and other leaders to broaden support for and move forward implementation of the Darfur Peace Agreement,

Noting with concern that armed attacks by other armed groups threaten the successful implementation of the Comprehensive Peace Agreement, welcoming the agreement between the Government of Uganda and the Lord's Resistance Army to extend the cessation of hostilities agreement and resume peace talks in Juba on 26 April 2007, commending the efforts of United Nations Special Envoy Chissano to bring about this progress, and calling upon both sides to meet their commitments under this process,

Taking note of the report of the Secretary-General of 17 April 2007 on the Sudan,[362]

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

1. *Decides* to extend the mandate of the United Nations Mission in the Sudan until 31 October 2007, with the intention to renew it for further periods;

2. *Requests* the Secretary-General to appoint urgently a new Special Representative for the Sudan and to report to the Security Council every three months on the implementation of the mandate of the Mission;

3. *Calls upon* the parties to the Comprehensive Peace Agreement[356] to accelerate urgently progress on implementing all their commitments, in particular to carry out the establishment of

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[362] S/2007/213.

Joint Integrated Units and other aspects of the security sector reforms, to re-energize the process of disarmament, demobilization and reintegration of combatants, to complete the full and verified redeployment of forces by 9 July 2007, to demarcate precisely the north/south borderline of 1 January 1956, consistent with the Machakos Protocol of 20 July 2002,[356] to resolve the Abyei problem and urgently establish an administration there, and to take the necessary steps to hold national elections according to the agreed time frame;

4. *Calls upon* the parties to the Comprehensive Peace Agreement, the Darfur Peace Agreement, the N'Djamena Humanitarian Ceasefire Agreement, the Eastern Sudan Peace Agreement and the communiqué of 28 March 2007 to respect their commitments and implement fully all aspects of those agreements without delay, and calls upon those parties that have not signed the Darfur Peace Agreement to do so without delay and not to act in any way that would impede the implementation of the Agreement;

5. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment accountability in cases of such conduct involving their personnel;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5670th meeting.

Decisions

On 7 May 2007, the President of the Security Council addressed the following letter to the Secretary-General:[363]

> "I have the honour to inform you that your letter dated 3 May 2007 concerning your decision, taken together with the Chairperson of the African Union Commission, Mr. Alpha Oumar Konaré, to nominate Mr. Rodolphe Adada, of the Republic of the Congo, as the Joint African Union-United Nations Special Representative for Darfur[364] has been brought to the attention of the members of the Security Council. They take note of the information and decision contained in your letter."

At its 5684th meeting, on 25 May 2007, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[365]

> "The Security Council welcomes the transmission of the report of the Secretary-General and the Chairperson of the African Union Commission on the hybrid operation in Darfur,[366] which contains recommendations regarding a mandate and a structure for the hybrid operation, details on the various components of the proposed operation and their specific tasks, and a description of the ongoing efforts of the international community to support the peace process in Darfur and to strengthen the African Union Mission in the Sudan.
>
> "The Council notes that agreement between the African Union and the United Nations on this joint report is an important development in the comprehensive approach to the peace process in Darfur, which also includes re-energizing the political process, strengthening the

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[363] S/2007/264.

[364] S/2007/263.

[365] S/PRST/2007/15.

[366] See S/2007/307/Rev.1.

ceasefire, and implementing the three-phase approach to peacekeeping, culminating in an African Union-United Nations hybrid operation.

"The Council calls for the full implementation without delay of the United Nations light and heavy support packages of assistance to the African Union Mission in the Sudan, as well as for the report of the Secretary-General and the Chairperson of the African Union Commission on the hybrid operation to be considered and taken forward immediately. The Council further demands that all parties meet their international obligations, support the political process, end violence against civilians and attacks on peacekeepers, and facilitate humanitarian relief."

At its 5687th meeting, on 7 June 2007, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.

At its 5688th meeting, held in private on 7 June 2007, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5688th meeting, held in private on 7 June 2007, the Security Council considered the item entitled 'Reports of the Secretary-General on the Sudan'.

"In accordance with the decision taken at the 5687th meeting, held earlier on 7 June 2007, the President extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.

"The members of the Council and Mr. Moreno-Ocampo had an exchange of views."

In a letter dated 11 June 2007, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Addis Ababa, Khartoum, Accra, Abidjan and Kinshasa.[367]

At its 5727th meeting, on 31 July 2007, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Letter dated 5 June 2007 from the Secretary-General to the President of the Security Council (S/2007/307/Rev.1 and S/2007/307/Rev.1/Add.1)".

At the same meeting, in response to the request dated 31 July 2007 from the representative of Ghana to the President of the Security Council, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mrs. Alice Mungwa, Senior Political Affairs Adviser in the Office of the Permanent Observer of the African Union to the United Nations.

Resolution 1769 (2007)
of 31 July 2007

The Security Council,

Recalling all its previous resolutions and the statements by its President concerning the situation in the Sudan,

Reaffirming its strong commitment to the sovereignty, unity, independence and territorial integrity of the Sudan and to the cause of peace, and expressing its determination to work with the

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[367] The letter, which was issued as a Security Council document under the symbol S/2007/347, has been reproduced on page 77 of the present volume.

Government of the Sudan, in full respect of its sovereignty, to assist in tackling the various problems in Darfur, Sudan,

Recalling the conclusions of the Addis Ababa high-level consultation on the situation in Darfur of 16 November 2006 as endorsed in the communiqué of the sixty-sixth meeting of the Peace and Security Council of the African Union, held in Abuja on 30 November 2006,[359] as well as the communiqué of the seventy-ninth meeting of the Peace and Security Council, held in Addis Ababa on 22 June 2007,[368] recalling the statement by its President of 19 December 2006 endorsing the Addis Ababa and Abuja agreements,[358] welcoming the progress made so far and calling for them to be fully implemented by all parties without delay and for all parties to facilitate the immediate deployment of the United Nations light and heavy support packages to the African Union Mission in the Sudan and a hybrid operation in Darfur, for which backstopping and command and control structures will be provided by the United Nations, and recalling that cooperation between the United Nations and the regional arrangements in matters relating to the maintenance of peace and security is an integral part of collective security as provided for in the Charter of the United Nations,

Reaffirming its resolution 1325 (2000) of 31 October 2000 on women and peace and security, resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel, resolution 1612 (2005) of 26 July 2005 on children and armed conflict and the subsequent conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties to the armed conflict in the Sudan,[369] and resolution 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict, and recalling the report of its mission to Addis Ababa and Khartoum on 16 and 17 June 2007,[370]

Welcoming the report of the Secretary-General and the Chairperson of the African Union Commission of 5 June 2007,[366]

Commending in this regard the agreement of the Sudan that the hybrid operation shall be deployed in Darfur, as detailed in the conclusions of the high-level African Union-United Nations consultations with the Government of the Sudan, held in Addis Ababa on 11 and 12 June 2007[371] and confirmed in full during the meeting of the Security Council with the President of the Sudan, held in Khartoum on 17 June 2007,

Recalling the Addis Ababa agreement that the hybrid operation should have a predominantly African character and the troops should, as far as possible, be sourced from African countries,

Commending the efforts of the African Union for the successful deployment of the African Union Mission in the Sudan, as well as the efforts of Member States and regional organizations that have assisted it in its deployment, stressing the need for the Mission, as supported by the United Nations light and heavy support packages, to assist implementation of the Darfur Peace Agreement until the end of its mandate, calling upon the Government of the Sudan to assist in removing all obstacles to the proper discharge by the Mission of its mandate, and recalling the communiqué of the seventy-ninth meeting of the Peace and Security Council of 22 June 2007, in which that Council extended the mandate of the Mission for an additional period not exceeding six months, until 31 December 2007,

Stressing the urgent need to mobilize the financial, logistical and other support and assistance required for the Mission,

Welcoming the ongoing preparations for the hybrid operation, including the putting in place of logistical arrangements in Darfur, at United Nations Headquarters and at the African Union

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[368] S/2007/402, annex.

[369] S/2006/971, annex.

[370] See S/2007/421 and Corr.1.

[371] S/2007/363, annex.

Commission headquarters, force and police generation efforts and ongoing joint efforts by the Secretary-General and the Chairperson of the African Union to finalize essential operational policies, and further welcoming action taken so that appropriate financial and administrative mechanisms are established to ensure the effective management of the hybrid operation,

Reiterating its belief in the basis provided by the Darfur Peace Agreement for a lasting political solution and sustained security in Darfur, deploring that the Agreement has not been fully implemented by the signatories and has not been signed by all parties to the conflict in Darfur, calling for an immediate ceasefire, urging all parties not to act in any way that would impede the implementation of the Agreement, and recalling the communiqué of the second international meeting on the situation in Darfur, convened by the African Union and United Nations Special Envoys for Darfur in Tripoli on 15 and 16 July 2007,[372]

Noting with strong concern ongoing attacks on the civilian population and humanitarian workers and continued and widespread sexual violence, including as outlined in the report of the Secretary-General and the Chairperson of the African Union Commission on the hybrid operation in Darfur[366] and the report of the Secretary-General of 23 February 2007,[361] emphasizing the need to bring to justice the perpetrators of such crimes and urging the Government of the Sudan to do so, and reiterating in this regard its condemnation of all violations of human rights and international humanitarian law in Darfur,

Reiterating its deep concern for the security of humanitarian aid workers and their access to populations in need, condemning those parties to the conflict who have failed to ensure the full, safe and unhindered access of relief personnel to all those in need in Darfur as well as the delivery of humanitarian assistance, in particular to internally displaced persons and refugees, and recognizing that, with many citizens in Darfur having been displaced, humanitarian efforts remain a priority until a sustained ceasefire and an inclusive political process are achieved,

Demanding that there should be no aerial bombings and use of United Nations markings on aircraft used in such attacks,

Reaffirming its concern that the ongoing violence in Darfur might further negatively affect the rest of the Sudan as well as the region, stressing that regional security aspects must be addressed to achieve long-term peace in Darfur, and calling upon the Governments of the Sudan and Chad to abide by their obligations under the Tripoli Agreement of 8 February 2006[350] and subsequent bilateral agreements,

Determining that the situation in Darfur, Sudan, continues to constitute a threat to international peace and security,

1. *Decides*, in support of the early and effective implementation of the Darfur Peace Agreement and the outcome of the negotiations foreseen in paragraph 18 below, to authorize and mandate the establishment, for an initial period of twelve months, of an African Union-United Nations Hybrid Operation in Darfur (UNAMID) as set out in the present resolution and pursuant to the report of the Secretary-General and the Chairperson of the African Union Commission of 5 June 2007,[366] and further decides that the mandate of UNAMID shall be as set out in paragraphs 54 and 55 of the report of the Secretary-General and the Chairperson of the African Union Commission of 5 June 2007;

2. *Decides also* that UNAMID, which shall incorporate personnel of the African Union Mission in the Sudan and the United Nations heavy and light support packages to the Mission, shall consist of up to 19,555 military personnel, including 360 military observers and liaison officers, and an appropriate civilian component including up to 3,772 police personnel and 19 formed police units comprising up to 140 personnel each;

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[372] S/2007/453, annex.

3. *Welcomes* the appointment of the African Union-United Nations Joint Special Representative for Darfur, Mr. Rodolphe Adada, and Force Commander General Martin Agwai, and calls upon the Secretary-General to immediately begin deployment of the command and control structures and systems necessary to ensure a seamless transfer of authority from the African Union Mission in the Sudan to UNAMID;

4. *Calls upon* all parties to urgently facilitate the full deployment of the United Nations light and heavy support packages to the African Union Mission in the Sudan and preparations for UNAMID, and further calls upon Member States to finalize their contributions to UNAMID within thirty days of the adoption of the present resolution and upon the Secretary-General and the Chairperson of the African Union Commission to agree on the final composition of the military component of UNAMID within the same time period;

5. *Decides* that:

(*a*) No later than October 2007, UNAMID shall establish an initial operational capability for the headquarters, including the necessary management and command and control structures, through which operational directives will be implemented, and shall establish financial arrangements to cover troop costs for all personnel deployed to the African Union Mission in the Sudan;

(*b*) As of October 2007, UNAMID shall complete preparations to assume operational command authority over the light support package, personnel currently deployed to the African Union Mission in the Sudan, and such heavy support package and hybrid personnel as may be deployed by that date, in order that it shall perform such tasks under its mandate as its resources and capabilities permit immediately upon transfer of authority consistent with subparagraph (*c*) below;

(*c*) As soon as possible and no later than 31 December 2007, UNAMID, having completed all remaining tasks necessary to permit it to implement all elements of its mandate, will assume authority from the African Union Mission in the Sudan with a view to achieving full operational capability and force strength as soon as possible thereafter;

6. *Requests* the Secretary-General to report to the Security Council within thirty days of the passage of the present resolution and every thirty days thereafter, on the status of implementation by UNAMID of the steps specified in paragraph 5 above, including on the status of financial, logistical and administrative arrangements for UNAMID and on the extent of progress by UNAMID toward achieving full operational capability;

7. *Decides* that there will be unity of command and control which, in accordance with basic principles of peacekeeping, means a single chain of command, further decides that command and control structures and backstopping will be provided by the United Nations, and, in this context, recalls the conclusions of the Addis Ababa high-level consultation on the situation in Darfur of 16 November 2006;

8. *Decides also* that force and personnel generation and administration shall be conducted as set out in paragraphs 113 to 115 of the report of the Secretary-General and the Chairperson of the African Union Commission of 5 June 2007, and requests the Secretary-General to put in place without delay the practical arrangements for deploying UNAMID, including submitting to the General Assembly recommendations on funding and effective financial management and oversight mechanisms;

9. *Decides further* that UNAMID shall monitor whether any arms or related material are present in Darfur in violation of the Agreements and the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004) of 30 July 2004;

10. *Calls upon* all Member States to facilitate the free, unhindered and expeditious movement to the Sudan of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles and spare parts, which are for the exclusive use of UNAMID in Darfur;

11. *Stresses* the urgent need to mobilize the financial, logistical and other support required for the African Union Mission in the Sudan, and calls upon Member States and regional organizations to provide further assistance, in particular to permit the early deployment of two additional battalions during the transition to UNAMID;

12. *Decides* that the authorized strength of the United Nations Mission in the Sudan shall revert to that specified in resolution 1590 (2005) of 24 March 2005 upon the transfer of authority from the African Union Mission in the Sudan to UNAMID pursuant to paragraph 5 (*c*) above;

13. *Calls upon* all the parties to the conflict in Darfur to immediately cease all hostilities and commit themselves to a sustained and permanent ceasefire;

14. *Demands* an immediate cessation of hostilities and attacks on the African Union Mission in the Sudan, civilians and humanitarian agencies, their staff and assets and relief convoys, and further demands that all parties to the conflict in Darfur fully cooperate with the Mission, civilians and humanitarian agencies, their staff and assets and relief convoys, and give all necessary assistance to the deployment of the United Nations light and heavy support packages to the Mission, and to UNAMID;

15. Acting under Chapter VII of the Charter of the United Nations:

(*a*) *Decides* that UNAMID is authorized to take the necessary action, in the areas of deployment of its forces and as it deems within its capabilities in order:

(i) To protect its personnel, facilities, installations and equipment, and to ensure the security and freedom of movement of its own personnel and humanitarian workers;

(ii) To support early and effective implementation of the Darfur Peace Agreement, prevent the disruption of its implementation and armed attacks, and protect civilians, without prejudice to the responsibility of the Government of the Sudan;

(*b*) *Requests* that the Secretary-General, in consultation with the Chairperson of the African Union Commission, and the Government of the Sudan conclude within thirty days a status-of-forces agreement with respect to UNAMID, taking into consideration General Assembly resolution 58/82 of 9 December 2003 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel and Assembly resolution 61/133 of 14 December 2006 on the safety and security of humanitarian personnel and the protection of United Nations personnel, and decides that, pending the conclusion of such an agreement, the model status-of-forces agreement dated 9 October 1990[354] shall provisionally apply with respect to UNAMID personnel operating in that country;

16. *Requests* the Secretary-General to take the necessary measures to achieve actual compliance in UNAMID with the United Nations zero-tolerance policy on sexual exploitation and abuse, including the development of strategies and appropriate mechanisms to prevent, identify and respond to all forms of misconduct, including sexual exploitation and abuse, and the enhancement of training for personnel to prevent misconduct and ensure full compliance with the United Nations code of conduct, and to further take all necessary action in accordance with the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse[373] and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training and, in the case of forces previously deployed under the auspices of the African Union, post-deployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

17. *Calls upon* all concerned parties to ensure that the protection of children is addressed in the implementation of the Darfur Peace Agreement, and requests the Secretary-General to ensure continued monitoring and reporting of the situation of children and continued dialogue

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[373] ST/SGB/2003/13.

with parties to the conflict toward the preparation of time-bound action plans to end the recruitment and use of child soldiers and other violations against children;

18. *Emphasizes* that there can be no military solution to the conflict in Darfur, welcomes the commitment expressed by the Government of the Sudan and some other parties to the conflict to enter into talks and the political process under the mediation, and in line with the deadlines set out in the road map, of the United Nations Special Envoy for Darfur and the African Union Special Envoy for Darfur, who have its full support, looks forward to these parties doing so, calls upon the other parties to the conflict to do likewise, and urges all the parties, in particular the non-signatory movements, to finalize their preparations for the talks;

19. *Welcomes* the signing of a joint communiqué between the Government of the Sudan and the United Nations on facilitation of humanitarian activities in Darfur, calls for it to be fully implemented, and calls upon all parties to ensure, in accordance with relevant provisions of international law, the full, safe and unhindered access of relief personnel to all those in need and the delivery of humanitarian assistance, in particular to internally displaced persons and refugees;

20. *Emphasizes* the need to focus, as appropriate, on development initiatives that will bring peace dividends on the ground in Darfur, including, in particular, finalizing preparations for reconstruction and development, the return of internally displaced persons to their villages, compensation and appropriate security arrangements;

21. *Requests* the Secretary-General to report to the Council for its consideration no later than ninety days after the adoption of the present resolution and every ninety days thereafter on progress being made on, and immediately, as necessary, on any obstacles to:

(*a*) The implementation of the light and heavy support packages and UNAMID;

(*b*) The implementation of the joint communiqué between the Government of the Sudan and the United Nations on facilitation of humanitarian activities in Darfur;

(*c*) The political process;

(*d*) The implementation of the Darfur Peace Agreement and compliance by the parties with their international obligations and their commitments under relevant agreements; and

(*e*) The ceasefire and the situation on the ground in Darfur;

22. *Demands* that the parties to the conflict in Darfur fulfil their international obligations and their commitments under relevant agreements, the present resolution and other relevant Council resolutions;

23. *Recalls* the reports of the Secretary-General of 22 December 2006[374] and 23 February 2007,[375] which detail the need to improve the security of civilians in the regions of eastern Chad and the north-eastern Central African Republic, expresses its readiness to support this endeavour, and looks forward to the Secretary-General reporting on his recent consultations with the Governments of Chad and the Central African Republic;

24. *Emphasizes its determination* that the situation in Darfur shall significantly improve so that the Council can consider, in due course and as appropriate, and taking into consideration recommendations of the Secretary-General and the Chairperson of the African Union, the drawing down and eventual termination of UNAMID;

25. *Decides* to remain seized of the matter.

Adopted unanimously at the 5727th meeting.

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[374] S/2006/1019.

[375] S/2007/97.

POST-CONFLICT PEACEBUILDING[376]

Decisions

On 12 January 2007, the President of the Security Council addressed the following letter to the Secretary-General:[377]

> "I have the honour to refer to Security Council resolution 1646 (2005), adopted on 20 December 2005, in which the Council, in keeping with its resolution 1645 (2005), adopted on the same date, decided that the permanent members listed in Article 23, paragraph 1, of the Charter of the United Nations should be members of the Organizational Committee of the Peacebuilding Commission and that, in addition, the Council should select annually two of its elected members to participate in the Organizational Committee.
>
> "I therefore have the honour to inform you that, following informal consultations on 11 January 2007, members of the Security Council agreed on the selection of Panama and South Africa as the two elected members of the Council to participate in the Organizational Committee for a term of one year, until the end of 2007."

At its 5627th meeting, on 31 January 2007, the Council decided to invite the representatives of Afghanistan, Argentina, Brazil, Burundi, Canada, Chile, Croatia, Egypt, El Salvador, Germany, Guatemala, Jamaica, Japan, the Netherlands, Nigeria, Norway, the Republic of Korea, Senegal, Sierra Leone and Uruguay to participate, without vote, in the discussion of the item entitled "Post-conflict peacebuilding".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Dalius Čekuolis, President of the Economic and Social Council, Mr. Ismael Abraão Gaspar Martins, Chairman of the Organizational Committee of the Peacebuilding Commission, and Ms. Carolyn McAskie, Assistant Secretary-General in the Peacebuilding Support Office.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Oscar Avalle, Special Representative of the World Bank to the United Nations, and Mr. Reinhard Munzberg, Special Representative of the International Monetary Fund to the United Nations.

THE SITUATION CONCERNING IRAQ[378]

Decision

At its 5510th meeting, on 10 August 2006, the Security Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled:

> "The situation concerning Iraq
>
> > "Letter dated 1 August 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/601)".

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[376] Resolutions or decisions on this question were also adopted by the Security Council in 2005 and during the period from 1 January to 31 July 2006.

[377] S/2007/16.

[378] Resolutions or decisions on this question were also adopted by the Security Council in 2005 and during the period from 1 January to 31 July 2006.

Resolution 1700 (2006)
of 10 August 2006

The Security Council,

Recalling all its previous relevant resolutions on Iraq, in particular resolutions 1500 (2003) of 14 August 2003, 1546 (2004) of 8 June 2004, 1557 (2004) of 12 August 2004 and 1619 (2005) of 11 August 2005,

Reaffirming the independence, sovereignty, unity and territorial integrity of Iraq,

Recalling the establishment on 14 August 2003 of the United Nations Assistance Mission for Iraq, the mandate of which was extended most recently on 11 August 2005, and reaffirming that the United Nations should play a leading role in assisting the efforts of the Iraqi people and Government in strengthening institutions for representative government, and in promoting national dialogue and unity,

Stressing that this Iraqi national dialogue, which the Mission should assist, is crucial for the political stability and unity of Iraq,

Welcoming the request conveyed in the letter dated 3 August 2006 from the Minister for Foreign Affairs of Iraq to the Secretary-General[379] expressing the view of the constitutionally elected Government of Iraq that there continues to be a vital role for the Mission in assisting Iraqi efforts to build a productive and prosperous nation at peace with itself and its neighbours,

Taking note of the letter dated 1 August 2006 from the Secretary-General addressed to the President of the Security Council,[380] and expressing its appreciation for the role that the United Nations is playing in Iraq with the support of the international community,

Welcoming the Secretary-General's agreement, as requested by the Government of Iraq, that the United Nations, as co-chair, will provide strong support for the International Compact with Iraq, launched on 27 July 2006 with a joint statement by the Government of Iraq and the United Nations,

1. *Decides* to extend the mandate of the United Nations Assistance Mission for Iraq for another period of twelve months from the date of the present resolution;

2. *Expresses its intention* to review the mandate of the Mission in twelve months or sooner, if requested by the Government of Iraq;

3. *Requests* the Secretary-General to update the Security Council on a regular basis on the latest developments of the International Compact with Iraq;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 5510th meeting.

Decisions

On 11 August 2006, the President of the Security Council addressed the following letter to the Secretary-General:[381]

> "I have the honour to inform you that your letter dated 10 July 2006 concerning the termination of operations relating to letters of credit raised against the United Nations Iraq Account[382] has been brought to the attention of the members of the Security Council. They

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[379] S/2006/609, annex.

[380] S/2006/601.

[381] S/2006/646.

[382] S/2006/510.

take note of the update of the situation and of the proposed arrangements contained in the note annexed to your letter. The members of the Council note with concern that the question of processing of the authentication documents for the arrival of goods in Iraq remains unresolved. They urge the Secretariat to pursue close consultation with the Government of Iraq with a view to finding a final resolution to the remaining issues and to promptly achieving an orderly termination of the programme. They welcome in that regard your intention to ask the Controller to consult further with the relevant Iraqi authorities, and they look forward to the outcome of that meeting. The members of the Council request that they be kept informed of the progress made."

At its 5523rd meeting, on 14 September 2006, the Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled:

"The situation concerning Iraq

> "Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2006/706)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ashraf Jehangir Qazi, Special Representative of the Secretary-General for Iraq.

On 21 November 2006, the President of the Security Council addressed the following letter to the Secretary-General:[383]

> "I have the honour to inform you that your letter dated 17 November 2006 concerning your proposal to appoint Mr. Robert Witajewski as a Commissioner of the United Nations Monitoring, Verification and Inspection Commission[384] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

At its 5574th meeting, on 28 November 2006, the Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled "The situation concerning Iraq".

Resolution 1723 (2006)
of 28 November 2006

The Security Council,

Welcoming the formation of a national unity government in Iraq with a detailed political, economic and security programme and a strong national reconciliation agenda, and looking forward to the day that Iraqi forces assume full responsibility for the maintenance of security and stability in their country, thus allowing the completion of the multinational force mandate and the end of its presence in Iraq,

Welcoming also the progress made to date in the training and equipping of Iraqi security forces as well as in the transfer of security responsibilities to those forces in Al Muthanna and Dhi Qar provinces, and looking forward to the continuation of that process during 2007,

Recalling all of its previous relevant resolutions on Iraq,

Reaffirming the independence, sovereignty, unity and territorial integrity of Iraq,

Reaffirming also the right of the Iraqi people freely to determine their own political future and control their own national resources,

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[383] S/2006/908.

[384] S/2006/907.

Welcoming the continuing work of the Government of Iraq towards a federal, democratic, pluralistic and unified Iraq, in which there is full respect for human rights,

Welcoming also the vital role played by the Government of Iraq in continuing to promote national dialogue and reconciliation in pursuit of an atmosphere in which sectarianism is totally rejected, including the National Reconciliation Plan announced by Iraqi Prime Minister al-Maliki, stressing the importance of the rapid implementation of the Plan, and reaffirming the willingness of the international community to work closely with the Government of Iraq to assist these reconciliation efforts,

Recognizing the International Compact with Iraq, an initiative of the Government of Iraq to create a new partnership with the international community and to build a strong framework for Iraq's continued political, security and economic transformation and integration into the regional and global economy, and welcoming the important role that the United Nations is playing by jointly chairing the Compact with the Government of Iraq,

Calling upon the international community, particularly countries in the region and Iraq's neighbours, to support the Iraqi people in their pursuit of peace, stability, security, democracy and prosperity, and noting that the successful implementation of the present resolution will contribute to regional stability,

Demanding that those who use violence in an attempt to subvert the political process lay down their arms and participate in the political process, and encouraging the Government of Iraq to continue to engage with all those who renounce violence,

Reaffirming that acts of terrorism must not be allowed to disrupt Iraq's political and economic transition, and further reaffirming the obligations of Member States under resolution 1618 (2005) of 4 August 2005 and other relevant resolutions and international conventions with respect, inter alia, to terrorist activities in and from Iraq or against its citizens,

Recognizing the request, conveyed in the letter dated 11 November 2006 from the Prime Minister of Iraq to the President of the Security Council, which is annexed to the present resolution, to retain the presence of the multinational force in Iraq, and affirming the common goals therein: Iraqi assumption of recruiting, training, equipping and arming of the Iraqi security forces, Iraqi assumption of command and control over Iraqi forces, and the transfer of responsibility for security to the Government of Iraq,

Recognizing also the importance of the consent of the sovereign government of Iraq for the presence of the multinational force and of close coordination and partnership between the multinational force and that government,

Welcoming the willingness of the multinational force to continue efforts to contribute to the maintenance of security and stability in Iraq, including participating in the provision of humanitarian and reconstruction assistance, as described in the letter dated 17 November 2006 from the Secretary of State of the United States of America to the President of the Security Council, which is annexed to the present resolution,

Recognizing the tasks and arrangements set out in the letters annexed to resolution 1546 (2004) of 8 June 2004 and the cooperative implementation by the Government of Iraq and the multinational force of those arrangements,

Affirming the importance that all forces promoting the maintenance of security and stability in Iraq act in accordance with international law, including obligations under international humanitarian law, and cooperate with the relevant international organizations, and welcoming their commitments in this regard,

Recalling the establishment of the United Nations Assistance Mission for Iraq on 14 August 2003, and affirming that the United Nations should continue to play a leading role in assisting the Iraqi people and Government with further political and economic development, including advising and supporting the Government of Iraq, providing strong support in developing the

International Compact with Iraq, contributing to the coordination and delivery of reconstruction, development and humanitarian assistance, and promoting the protection of human rights, national reconciliation, as well as judicial and legal reform in order to strengthen the rule of law in Iraq,

Recognizing that international support for security and stability is essential to the well-being of the people of Iraq as well as the ability of all concerned, including the United Nations, to carry out their work on behalf of the people of Iraq, and expressing its appreciation for contributions by Member States in this regard under resolutions 1483 (2003) of 22 May 2003, 1511 (2003) of 16 October 2003, 1546 (2004) and 1637 (2005) of 8 November 2005,

Recognizing also that the Government of Iraq will continue to have the primary role in coordinating international assistance to Iraq, and reaffirming the importance of international assistance and development of the Iraqi economy and the importance of coordinated donor assistance,

Recognizing further the significant role of the Development Fund for Iraq and the International Advisory and Monitoring Board in helping the Government of Iraq to ensure that Iraq's resources are being used transparently and equitably for the benefit of the people of Iraq,

Stressing the responsibility of the Iraqi authorities to undertake all appropriate steps to prevent attacks on the diplomatic personnel accredited in Iraq in accordance with the Vienna Convention on Diplomatic Relations of 1961,[385]

Determining that the situation in Iraq continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Notes* that the presence of the multinational force in Iraq is at the request of the Government of Iraq and reaffirms the authorization for the multinational force as set forth in resolution 1546 (2004), and decides to extend the mandate of the multinational force as set forth in that resolution until 31 December 2007, taking into consideration the letter dated 11 November 2006 from the Prime Minister of Iraq and the letter dated 17 November 2006 from the Secretary of State of the United States of America;

2. *Decides* that the mandate for the multinational force shall be reviewed at the request of the Government of Iraq or no later than 15 June 2007, and declares that it will terminate this mandate earlier if requested by the Government of Iraq;

3. *Decides also* to extend until 31 December 2007 the arrangements established in paragraph 20 of resolution 1483 (2003) for the deposit into the Development Fund for Iraq of proceeds from export sales of petroleum, petroleum products and natural gas and the arrangements referred to in paragraph 12 of resolution 1483 (2003) and paragraph 24 of resolution 1546 (2004) for the monitoring of the Development Fund for Iraq by the International Advisory and Monitoring Board;

4. *Decides further* that the provisions in paragraph 3 above for the deposit of proceeds into the Development Fund for Iraq and for the role of the International Advisory and Monitoring Board shall be reviewed at the request of the Government of Iraq or no later than 15 June 2007;

5. *Requests* that the Secretary-General continue to report to the Security Council on the operations in Iraq of the United Nations Assistance Mission for Iraq on a quarterly basis;

6. *Requests* that the United States of America, on behalf of the multinational force, continue to report to the Council on the efforts and progress of the force on a quarterly basis;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5574th meeting.

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[385] United Nations, *Treaty Series*, vol. 500, No. 7310.

Annex I

Letter dated 11 November 2006 from Mr. Nuri Kamel al-Maliki, Prime Minister of Iraq, to the President of the Security Council[386]

Iraq has taken in the specified time the steps required for the completion of the political process, in particular the drafting of a permanent Constitution and the laying of foundations for building its political and legal institutions. In May 2006, the constitutionally elected Council of Representatives formed a Government of national unity. The steps for building a democratic, federal and united Iraq were consolidated by the commitment of the Government to adopt a dialogue and national reconciliation scheme, secure broad political participation, monitor human rights, establish the rule of law and economic development and provide services to citizens.

Establishing security and securing permanent stability are among the highest priorities of the Iraqi Government's programme to realize the desired peace and prosperity for the Iraqi people. However, terrorists and forces hostile to democracy continue to target innocent citizens and the various State institutions.

Security and stability in Iraq are the responsibility of the Iraqi Government. The Security Council affirmed in its resolution 1546 (2004) that Iraqi security forces would play a progressively greater role in enabling the Iraqi Government to assume that responsibility, diminishing and thereby ending the role of the multinational force, when the responsibility for security of the Iraqi security forces increases and expands. From the experience of the past two and a half years, it was established that the Iraqi security forces, which operated under the command of the Iraqi Government, had acquired new experiences and responsibilities and had grown in size, experience and capacity, demonstrated by their increased ability to assume full responsibility in the fields of security and defence.

We started to reap the fruits of success when our forces assumed responsibility for security in the governorates of Al Muthanna and Dhi Qar. In September 2006, the Ministry of Defence assumed the operational command and control of the ground, naval and air force commands. It also assumed operational command and control over two military divisions, indicating an increase in the ability of the Iraqi Army to assume the leadership in providing security to the Iraqi people. The Iraqi Government is also relentlessly working on building the necessary administrative and logistics system to make our Iraqi forces self-sufficient.

It is the intention of the Iraqi Government to continue increasing the number of governorates that fall fully under the control of the Iraqi authorities during 2006, until all 18 are under their control. When the responsibilities for security are transferred to the Iraqi authorities in a certain governorate, the multinational force will be present in its bases and can provide support to Iraqi security forces at the request of the Iraqi authorities, in accordance with an agreement that allocates the authorities and responsibilities between the two sides.

We have agreed on three common goals: first, assumption by Iraq of recruiting, training, equipping and arming of Iraqi security forces; second, assumption by Iraq of command and control over Iraqi forces; and third, transferring responsibility for security to the Government of Iraq. We have formed a high-level working group that will provide recommendations on how best to achieve these goals. It has also been agreed to work towards the Iraqi authorities' assuming the apprehension, detention and imprisonment tasks on the basis of an agreement to be reached between the Government of Iraq and the multinational force.

Hence, the Iraqi Government requests the extension of the mandate of the multinational force in accordance with Security Council resolutions 1546 (2004) and 1637 (2005) and the letters attached thereto for another 12 months starting on 31 December 2006, provided that the extension is subject to a commitment by the Council to end the mandate at an earlier date if the Iraqi

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[386] Circulated under the symbol S/2006/888.

Government so requests and that the mandate is subject to periodic review before 15 June 2007. The Iraqi Government requests the termination of the mission of the United Nations Monitoring, Verification and Inspection Commission due to the completion of its tasks. The Iraqi Government believes that the time has come to terminate the war compensations that were imposed on Iraq.

The Iraqi Government realizes that the provisions of resolution 1546 (2004) relating to the depositing of revenues in the Development Fund for Iraq and the role of the International Advisory and Monitoring Board help to ensure the use of the natural resources of Iraq for the benefit of the people of Iraq. We recognize that the fund plays an important role in convincing donors and creditors that Iraq is managing its resources and debts in a responsible way for the Iraqi people. This role is vital, especially since Iraq is seeking to form a new partnership with the international community to build a vital network for economic transformation and integration in the economies of the region and the world through the International Compact with Iraq. We ask the Security Council to extend the mandate of the Development Fund for Iraq and the International Advisory and Monitoring Board for another 12 months and to review this mandate based on the request of the Iraqi Government before 15 June 2007.

The people of Iraq are determined to establish a stable and peaceful democracy for themselves and a proper basis for building a vital economy. This vision for the future of Iraq cannot become a reality without the help of the international community.

We realize that the Security Council intends to append the present letter to the special resolution concerning Iraq that is being prepared. Meanwhile, I ask that the present letter be distributed to the members of the Security Council as soon as possible.

Annex II

Letter dated 17 November 2006 from Ms. Condoleezza Rice, Secretary of State of the United States of America, to the President of the Security Council[387]

Having reviewed the request of the Government of Iraq to extend the mandate of the Multinational Force (MNF) in Iraq[386] and following consultations with the Government of Iraq, I am writing to confirm, consistent with this request, that MNF under unified command stands ready to continue to fulfil its mandate as set out in Security Council resolution 1546 (2004) and extended by Security Council resolution 1637 (2005).

The Government of Iraq and MNF in Iraq continue to improve their cooperation through a security partnership to combat the challenges that threaten Iraq's security and stability. This partnership has evolved over time to incorporate the increasing leadership by Iraqi security forces in fighting and deterring terrorism and other violent acts throughout Iraq's 18 provinces. In the context of this partnership, MNF is prepared to continue to undertake a broad range of tasks to contribute to the maintenance of security and stability and to ensure force protection, acting under the authorities set forth in resolution 1546 (2004), including the tasks and arrangements set out in the letters annexed thereto, and in close cooperation with the Government of Iraq. The forces that make up MNF will remain committed to acting consistently with their obligations and rights under international law, including the law of armed conflict.

Iraqi security forces have already made substantial progress this year in developing their capabilities and, as a result, they are shouldering a greater portion of the responsibility for Iraq's security. This progress is most notable in their assumption of security responsibility in Dhi Qar and Al Muthanna and the assumption of operational command and control over the Ground, Naval, and Air Force Commands and two Iraqi military divisions by the Ministry of Defense.

The Government of Iraq and MNF have agreed on three common goals: Iraqi assumption of recruiting, training, equipping and arming of the Iraqi security forces; Iraqi assumption of command and control over Iraqi forces; and transferring responsibility for security to the Government of Iraq. We look forward to recommendations from the newly formed high-level working group on how these goals can best be achieved. The strong partnership between the Government of Iraq and MNF is a vital factor in fulfilling these goals. Together we will build towards the day when the Iraqi forces assume full responsibility for the maintenance of security and stability in Iraq.

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[387] Circulated under the symbol S/2006/899.

The co-sponsors intend to annex this letter to the resolution on Iraq that is under consideration. In the meantime, I request that you provide copies of the present letter to members of the Council as quickly as possible.

Decisions

At its 5583rd meeting, on 11 December 2006, the Security Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled:

> "The situation concerning Iraq
>
> > "Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2006/945)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ashraf Jehangir Qazi, Special Representative of the Secretary-General for Iraq.

On 15 December 2006, the President of the Security Council addressed the following letter to the Secretary-General:[388]

> "I have the honour to inform you that your letter dated 4 December 2006 transmitting the letter dated 14 November 2006 from the Minister for Foreign Affairs of Iraq containing the request that $40 million of the balance in the account of the United Nations Monitoring, Verification and Inspection Commission be transferred to the account of the Permanent Mission of Iraq to the United Nations[389] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter. The members of the Council propose that the $40 million be transferred to the Development Fund for Iraq in the light of the expressed intention of the Government of Iraq to purchase facilities near United Nations Headquarters and to renovate the current headquarters of the Mission and the residence of the Permanent Representative, taking into consideration that the residual balance in the Commission account should be sufficient to finance the activities of the Commission at its present level."

On 29 January 2007, the President of the Security Council addressed the following letter to the Secretary-General:[390]

> "I have the honour to inform you that the letter dated 8 December 2006 from the Secretary-General concerning the processing of letters of credit pertaining to the oil-for-food programme[391] has been brought to the attention of the members of the Security Council.
>
> "They took note with concern and disappointment of his observations, in particular that slow progress has been made in implementing the remaining contracts and the associated letters of credit under the oil-for-food programme.

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[388] S/2006/988.

[389] S/2006/987.

[390] S/2007/47.

[391] S/2007/46.

"They also noted that, in conformity with Council resolution 1483 (2003), under which the Council mandated the closure of the programme, the Secretary-General has informed the Government of Iraq of the need to make every effort to execute all outstanding contracts and letters within the recommended time.

"The members of the Council, referring to the letter dated 11 August 2006 from the President of the Council to the Secretary-General,[381] want to reaffirm the importance of promptly finding a final solution to the remaining issues, and in particular the question of processing of the authentication documents for the arrival of goods in Iraq, so that payments can be made to the concerned companies and so that the programme can close, as currently scheduled, during the course of 2007.

"To that end, the members of the Council have addressed a letter to the Permanent Representative of Iraq to the United Nations urging the Government of Iraq to do its utmost, in liaison with the United Nations Secretariat, to expedite the processing of the remaining letters in order to achieve the timely termination of the programme.

"In this regard, the members of the Council have stressed the high importance that, as requested in the letter dated 10 July 2006 from the Secretary-General to the President of the Council,[382] the Controller of the United Nations consult as soon as possible with the relevant Iraqi authorities with a view to solving the pending issues. The members of the Council look forward to the successful outcome of these consultations.

"The members of the Council request that they be kept informed of the progress made."

At its 5639th meeting, on 15 March 2007, the Council decided to invite the representative of Iraq (Vice-President) to participate, without vote, in the discussion of the item entitled:

"The situation concerning Iraq

"Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2007/126)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ashraf Jehangir Qazi, Special Representative of the Secretary-General for Iraq.

On 27 April 2007, the President of the Security Council addressed the following letter to the Secretary-General:[392]

"I have the honour to inform you that your letter dated 27 March 2007, and the attached note, concerning the processing of letters of credit pertaining to the oil-for-food programme[393] has been brought to the attention of the members of the Security Council.

"They welcomed the ongoing work of the United Nations Secretariat, in particular the efforts of the Secretariat to meet with the relevant authorities of the Government of Iraq in Amman on 6 March 2007 to discuss pending issues with a view to finding a solution that would bring the oil-for-food programme to a close by 31 December 2007.

"In this regard, they took note of and agreed with the proposal in paragraph 2 of your note to extend certain letters of credit until the end of 2007, and further agreed that the Secretariat should not support any extension that would result in delivery beyond 31 December 2007. The members of the Council also noted that the Government of Iraq and the Secretariat have agreed to cancel 55 letters of credit with a total value of approximately $226.9 million.

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[392] S/2007/242.

[393] S/2007/241.

"The members of the Council expressed their concern and disappointment regarding the observation by the Secretary-General that slow progress, or in some cases no progress, has been made in the provision of authentication documents related to remaining contracts and the associated letters of credit under the oil-for-food programme, and that there are currently 184 letters of credit with an approximate value of $182 million which have expired and for which there are claims of delivery from the suppliers. They underlined that this situation could present a serious risk to the possibility of the timely termination of the programme.

"The members of the Council recalled that, as set out in the note by the Secretary-General dated 10 July 2006,[382] a balance of funds of $187 million is to be held in the United Nations Iraq Account as a reserve for any unanticipated claims, until the issues related to claims from suppliers are resolved.

"The members of the Council, referring to the letters dated 11 August 2006[381] and 29 January 2007[390] from the President of the Council to the Secretary-General, reaffirmed the importance of promptly finding a final solution to the remaining issues so that payments can be made to the concerned companies and so that the programme can close as currently scheduled during the course of 2007.

"To that end, they have addressed another letter to the Permanent Representative of Iraq to the United Nations urging the Government of Iraq to do its utmost, in liaison with the Secretariat, to expedite the processing of the remaining letters, in particular to solve the chronic problem of slow provision or non-provision of authentication documents and to address allegations regarding the improper withholding of authentication documents, about which the members of the Council expressed their ongoing concern, in order to achieve the timely termination of the programme.

"The members of the Council invited the Permanent Representative to send a reply setting out the views and experiences of the Government of Iraq in this matter, and providing specific answers regarding the aforementioned issues, in particular the problems related to slow provision or non-provision of authentication documents.

"The members of the Council request the Secretary-General to continue his efforts, to report to the Council within two months on the progress made, and in that report to make specific recommendations regarding all outstanding issues.

"The members of the Council also take note of the letter dated 9 April 2007 from the Secretary-General regarding payments under letters of credit by BNP Paribas. The members of the Council agreed that the concerns raised in the letter highlight the need for all outstanding issues pertaining to the oil-for-food programme to be resolved forthwith. They invite the Secretary-General to keep them regularly informed of developments."

At its 5681st meeting, on 23 May 2007, the Council considered the item entitled "The situation concerning Iraq".

Following the decision taken at the 5681st meeting, the President of the Security Council addressed the following letter to the Secretary-General:[394]

"I have the honour to respond to your letter of 7 May 2007,[395] in which you referred to Security Council resolution 1284 (1999), by which the Council established the United Nations Monitoring, Verification and Inspection Commission, and to the related resolutions 687 (1991) and 706 (1991).

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[394] S/2007/301.

[395] S/2007/300.

> "I wish to inform you that the Council has decided to approve the proposal contained in your letter that €1,856,754 and $694,771 be transferred from the escrow account established under the above-mentioned resolutions to settle the arrears of the Government of Iraq to the United Nations Industrial Development Organization and to meet its current obligation with respect to the regular, peacekeeping and capital master plan budgets and the budgets of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, provided that the Commission has sufficient funds in its account to continue its activities at the present level."

At its 5693rd meeting, on 13 June 2007, the Council decided to invite the Minister for Foreign Affairs of Iraq to participate, without vote, in the discussion of the item entitled:

"The situation concerning Iraq

> "Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004) (S/2007/330)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ashraf Jehangir Qazi, Special Representative of the Secretary-General for Iraq.

At its 5710th meeting, on 29 June 2007, the Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled "The situation concerning Iraq".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Demetrius Perricos, Acting Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission, and Mr. Gustavo Zlauvinen, Representative of the Director General of the International Atomic Energy Agency and Director of the Agency Office at United Nations Headquarters, New York.

Resolution 1762 (2007)
of 29 June 2007

The Security Council,

Recalling its previous relevant resolutions, including resolutions 661 (1990) of 6 August 1990, 687 (1991) of 3 April 1991, 699 (1991) of 17 June 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 1051 (1996) of 27 March 1996, 1284 (1999) of 17 December 1999, 1441 (2002) of 8 November 2002, 1483 (2003) of 22 May 2003, 1540 (2004) of 28 April 2004 and 1546 (2004) of 8 June 2004,

Expressing its gratitude to the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency for their important and comprehensive contributions under the relevant resolutions, noting the accumulation of expertise and experience and the maintenance of a roster of experts during the mandate of the Commission, and encouraging Member States to maintain similar expertise for the future,

Acknowledging that a democratically elected and constitutionally based Government of Iraq is now in place, noting the Government of Iraq's declaration of support for the international non-proliferation regime, and welcoming the concrete steps taken in this regard, including the commitment enshrined in the Permanent Constitution and the establishment of the National Monitoring Directorate with responsibility for import/export control, *Recalling* Iraq's disarmament obligations under relevant resolutions, its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons,[396] its International Atomic Energy Agency safeguards agreement,[397] the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction[398] and the Geneva Protocol,[399] noting Iraq's commitment to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in nuclear, chemical and biological weapons and their means of delivery and related materials, in accordance with its legal authorities and legislation and consistent with international law, and urging its adherence to all applicable disarmament and non-proliferation treaties, notably the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,[400] and an Additional Protocol to the International Atomic Energy Agency safeguards agreement,

Noting disarmament efforts regarding Iraq since 1991, and further noting the joint letter dated 28 June 2007 from the Governments of the United States of America and the United Kingdom of Great Britain and Northern Ireland and the letter dated 8 April 2007 from the Government of Iraq to the President of the Security Council, annexed to the present resolution,

Recognizing that the continued operations of the United Nations Monitoring, Verification and Inspection Commission and the Iraq Nuclear Verification Office of the International Atomic Energy Agency are no longer necessary to verify compliance by Iraq with its obligations under the relevant resolutions,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to terminate immediately the mandates of the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency under the relevant resolutions;

2. *Reaffirms* Iraq's disarmament obligations under relevant resolutions, acknowledges Iraq's constitutional commitment to the non-proliferation, non-development, non-production and non-use of nuclear, chemical and biological weapons and associated equipment, material and technologies for use in the development, manufacture, production and use of such weapons, as well as delivery systems, and urges Iraq to continue to implement this commitment and to adhere to all applicable disarmament and non-proliferation treaties and related international agreements;

3. *Invites* the Government of Iraq to report to the Security Council within one year on progress made in adhering to all applicable disarmament and non-proliferation treaties and related international agreements, notably the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,[400] an Additional Protocol to its safeguards agreement, and on progress made by the National Monitoring Directorate and the Government of Iraq with regard to dual-use controls and harmonizing Iraqi export legislation with international standards;

4. *Takes note* of the summary briefings provided by the United Nations Monitoring, Verification and Inspection Commission/United Nations Special Commission and the International Atomic Energy Agency on their respective activities in Iraq since 1991, and expresses its appreciation for their dedicated work;

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[396] United Nations, *Treaty Series*, vol. 729, No. 10485.

[397] Ibid., vol. 872, No. 12529.

[398] General Assembly resolution 2826 (XXVI), annex.

[399] Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (League of Nations, *Treaty Series*, vol. XCIV (1929), No. 2138).

[400] United Nations, *Treaty Series*, vol. 1974, No. 33757.

5. *Requests* the Secretary-General to take all necessary measures to provide for the appropriate disposition of the archives and other property of the United Nations Monitoring, Verification and Inspection Commission under arrangements ensuring, in particular, that sensitive proliferation information or information provided in confidence by Member States is kept under strict control, and further requests that the Secretary-General inform the Council within three months on steps taken in this regard;

6. *Also requests* the Secretary-General to transfer to the Government of Iraq through the Development Fund for Iraq, no later than three months from the date of the present resolution, all remaining unencumbered funds in the account established pursuant to paragraph 8 (*e*) of resolution 986 (1995) of 14 April 1995, after returning to Member States, at their request, contributions made by them pursuant to paragraph 4 of resolution 699 (1991);

7. *Decides* to remain actively seized of the matter.

Adopted at the 5710th meeting
by 14 votes to none, with 1 abstention
(Russian Federation).

Annex I

Letter dated 28 June 2007 from the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland and the Secretary of State of the United States of America to the President of the Security Council[401]

The United States of America and the United Kingdom of Great Britain and Northern Ireland wish to inform the Security Council of the steps that have been taken with regard to ensuring Iraqi compliance with its disarmament obligations, as called for in Council resolution 1483 (2003).

Together with the Government of Iraq and other Member States, the United States and the United Kingdom, pursuant to the letter dated 8 May 2003 from their Permanent Representatives to the United Nations addressed to the President of the Security Council,[402] have been working since March 2003 with the objective of locating and securing, removing, disabling, rendering harmless, eliminating or destroying weapons of mass destruction, ballistic missiles and related delivery systems and programmes in Iraq developed under the regime of Saddam Hussein.

We wish to inform the Security Council that all appropriate steps have been taken to secure, remove, disable, render harmless, eliminate or destroy (*a*) all of Iraq's known weapons of mass destruction and ballistic missiles with a range of greater than 150 kilometres and (*b*) all known elements of Iraq's programmes established to research, develop, design, manufacture, produce, support, assemble and employ such weapons and delivery systems, subsystems and components thereof.

Furthermore, we wish to draw the attention of the Security Council to the conclusions of the report issued by the Special Advisor to the United States Director of Central Intelligence on Iraq's Weapons of Mass Destruction ("the Duelfer Report") following a review of Iraq's weapons of mass destruction programmes, undertaken by drawing upon information received from former Iraqi officials, other Iraqi citizens, suspected weapon sites and both technical and procurement-related documents. In the course of their investigation, Iraq Survey Group analysts visited suspected weapons-related sites and searched through documents. The report and its addenda are available from the following website: https://www.cia.gov/library/reports/general-reports-1/iraq_wmd_2004/index.html.

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[401] Circulated under the symbol S/2007/388.

[402] S/2003/538.

The letter dated 8 April 2007 from the Minister for Foreign Affairs of Iraq to the President of the Security Council[403] outlines additional actions that Iraq has taken and other actions that it intends to take in the near future to demonstrate and affirm to the international community its belief that it is now in full compliance with its disarmament obligations under the relevant Council resolutions.

Annex II

Letter dated 8 April 2007 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council[403]

I have the honour to address the present letter to you, and through you to the other members of the Security Council, requesting, on behalf of the Government of Iraq, that the Council consider terminating the mandates of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the Iraq Action Team of the International Atomic Energy Agency (IAEA) established by the Security Council resolutions on the elimination and removal of former Iraqi weapons of mass destruction, as there are no longer any legal or technical grounds for continuing their mandate and we are certain that Iraq currently has none of the programmes or weapons in question. In this connection, please note the following:

1. Today Iraq has a democratically elected Government and a new Parliament in addition to a Constitution that has been approved by the Iraqis. Today it declares that it is joining the global democratic community in its support for the international non-proliferation regime.

2. Article 9 (*e*) of the Permanent Constitution of the Government of Iraq states that: "The Iraqi Government shall respect and implement Iraq's international obligations regarding the non-proliferation, non-development, non-production and non-utilization of nuclear, chemical and biological weapons, and shall prohibit associated equipment, materiel, technologies and communication systems for use in the development, manufacture, production and utilization of such weapons." This Constitution was approved by the Iraqi people in the national referendum held in 2005.

3. As Security Council members know, the Iraqi Government has cooperated fully with the Iraq Survey Group (ISG) in respect of the former regime's weapons programme.

4. Today the Iraqi Government affirms its full commitment to the relevant Security Council resolutions and, in that connection, reiterates the request that it made to the President of the Council in March 2005, as well as the letter from the Iraqi Prime Minister of 11 November 2006 calling for the termination of the mandates of UNMOVIC and the IAEA Iraq Action Team.[386]

5. The Iraqi Government reiterates its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons,[396] the safeguards agreement of the International Atomic Energy Agency,[397] the Biological Weapons Convention[398] and the 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare.[399] The provisional Iraqi Government announced previously in July 2004 its commitment to all the agreements and conventions on the prevention of proliferation. The Iraqi technical authorities have elaborated a draft law on Iraq's accession to the Chemical Weapons Convention,[400] which is currently before the Parliament – the country's legislative branch – with a view to its adoption and preparations are under way for accession to the Model Additional Protocol of the International Atomic Energy Agency's safeguards regime.[404]

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[403] S/2007/236, annex.

[404] International Atomic Energy Agency, INFCIRC/540 (Corrected).

6. With regard to coordination with IAEA on a code of conduct on the safety and security of radioactive sources in Iraq, Iraq has set up an agency responsible for identifying radioactive sources in Iraq and guaranteeing their security, namely, the Iraqi Radioactive Sources Regulatory Authority. Since the fall of the previous regime, IAEA has made four successful verification visits to the Tuwaitha site – in June 2003, August 2004, September 2005 and, most recently, in November 2006.

7. The Iraqi National Monitoring Directorate is overseeing the transfer of dual-use substances and is now making every effort to harmonize Iraqi export legislation with international standards. Iraq has submitted its national report in accordance with its obligations under Security Council resolution 1540 (2004).

8. The Iraqi Government has undertaken to guarantee the security of its borders by strengthening controls in cooperation with the multinational force.

The Government and people of my country hope that the Security Council will make a serious and objective assessment of the situation in Iraq – namely, the absence of weapons of mass destruction and related programmes – and take the appropriate decision to terminate the mandates of UNMOVIC and the IAEA Iraq Action Team and transfer the balance in the Iraq account opened by the United Nations to the Development Fund for Iraq, for the purposes of investment.

I should be grateful if you would have the text of the present letter circulated to the members of the Security Council as a document of the Security Council.

Decision

On 6 July 2007, the President of the Security Council addressed the following letter to the Secretary-General:[405]

> "I have the honour to inform you that your letter dated 25 June 2007 concerning security and operational issues related to the work of the United Nations Assistance Mission for Iraq[406] has been brought to the attention of the Security Council.
>
> "By way of a statement made by the President of the Security Council to the press on 13 June 2007 on their behalf,[407] the members of the Council expressed their appreciation for ongoing United Nations support in Iraq and encouraged continued and robust United Nations assistance in support of the Iraqi people and Government.
>
> "The Council hereby confirms that it welcomes and supports the announced immediate planning for the construction of a new United Nations compound in Baghdad and has no objection to your intention to proceed with a request to the General Assembly for the necessary funds, in accordance with the established procedure."

THREATS TO INTERNATIONAL PEACE AND SECURITY[408]

Decisions

At its 5615th meeting, on 8 January 2007, the Security Council considered the item entitled "Threats to international peace and security".

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[405] S/2007/413.

[406] S/2007/412.

[407] SC/9042.

[408] Resolutions or decisions on this question were also adopted by the Security Council in 2005.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[409]

"The Security Council welcomes the Secretary-General of the United Nations, Mr. Ban Ki-moon. The Council commits itself to work closely and in a focused and action-oriented manner with him in order to better address the multifaceted and interconnected challenges and threats confronting our world within its primary responsibility for the maintenance of international peace and security, as provided for in the Charter of the United Nations.

"The Council pledges to uphold the purposes and principles of the Charter, and reaffirms its commitment to the principles of sovereign equality, national sovereignty, territorial integrity and political independence of all States, underlines further the need for respect for human rights and the rule of law, including the protection of civilians in armed conflict, and the importance of adhering to the principles of refraining, in international relations, from the threat or use of force in any manner inconsistent with the purposes of the United Nations, and of peaceful settlement of international disputes.

"The Council, recalling that the 2005 World Summit Outcome[410] recognized that development, peace and security and human rights are interlinked and mutually reinforcing, emphasizes that the challenges and threats confronting the international community demand a resolute and coherent response, based on the collective security system of the Charter. The Council reaffirms its commitment to address the whole range of threats to international peace and security, including armed conflict, terrorism and the proliferation of weapons of mass destruction.

"The Council recognizes the essential role of the United Nations in the global effort to combat terrorism, which in all its forms and manifestations constitutes one of the most serious threats to peace and security. The Council therefore welcomes the adoption by the General Assembly of the United Nations Global Counter-Terrorism Strategy.[411] It stands ready to play its part in its implementation. The Council, in keeping with its responsibility in the efforts of the international community to combat the scourge of terrorism, in accordance with the Charter, underlines its determination to intensify its efforts, including in translating the commitments made at the summit meeting of the Council held in the course of the 2005 World Summit into practical results. It reiterates further that States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights law, refugee law and humanitarian law.

"The Council reaffirms its resolve to take appropriate and effective actions against any threat to international peace and security caused by the proliferation of nuclear, chemical and biological weapons and their means of delivery, in conformity with its primary responsibilities, as provided for in the Charter.

"The Council recognizes the importance of more effective international efforts to prevent conflict, including intra-State conflicts, and encourages the Secretary-General, as already requested in Council resolution 1625 (2005), to provide the Council with more regular, analytical reporting on regions of potential armed conflict and stresses the importance of establishing comprehensive strategies on conflict prevention in order to avoid the high human and material costs of armed conflict.

"The Council underlines the need for improved United Nations capacity to assess conflict situations, for the effective planning and management of United Nations peacekeeping operations and for quick and effective responses to any Council mandate. The

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[409] S/PRST/2007/1.

[410] See General Assembly resolution 60/1.

[411] General Assembly resolution 60/288.

Council also recognizes the importance of a more strategic approach to the oversight and direction of peacekeeping, to maximize the prospects for successful transition in the countries concerned, and so as to make possible the most effective use of scarce peacekeeping resources. To this end, the Council requests the Secretary-General to focus in managing and reporting on peacekeeping missions on the steps needed to achieve the objectives of the mission, both by the host Government and by the international community, and to propose to the Council, as appropriate, initiatives to accelerate the transition process.

"The Council emphasizes the importance of post-conflict peacebuilding to assist countries emerging from conflict in laying the foundation for sustainable peace and development and, in this context, welcomes the establishment of the Peacebuilding Commission that should play an important role to achieve the objective of improving United Nations capacity to coordinate with regional organizations, countries in the relevant regions, donors, troop contributors and recipient countries and to perform peacebuilding activities, in particular from the start of peacekeeping operations through stabilization, reconstruction and development. It appreciates the progress made thus far in the initial work of the Commission on Burundi and Sierra Leone. The Council underlines the importance of close interaction between the two bodies and will regularly address the work of the Commission in its own discussions and will take into account the advice of the Commission.

"The Council reaffirms its commitment to working in partnership, with the Secretary-General and the Secretariat, other United Nations organs, regional, subregional and other intergovernmental organizations, with non-Council members, including those Member States that are parties to a conflict, and with troop-contributing countries, financial and other stakeholders in pursuit of the common objective of the maintenance of international peace and security."

COOPERATION BETWEEN THE UNITED NATIONS AND REGIONAL ORGANIZATIONS IN MAINTAINING INTERNATIONAL PEACE AND SECURITY[412]

Decisions

At its 5529th meeting, on 20 September 2006, the Security Council decided to invite the representative of Romania (Minister for Foreign Affairs) to participate, without vote, in the discussion of the item entitled:

> "Cooperation between the United Nations and regional organizations in maintaining international peace and security
>
> > "Report of the Secretary-General on a regional-global security partnership: challenges and opportunities (S/2006/590)
> >
> > "Letter dated 6 September 2006 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General (S/2006/719)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Erkki Tuomioja, representing the Presidency of the European Union,[413] Mr. José Miguel Insulza, Secretary General of the Organization of American States, Mr. Lauro L. Baja, Chairman of the New York Committee of the Association of Southeast Asian Nations, Mr. Amre Moussa, Secretary-General of the League of Arab States,[414] Mr. Karel De Gucht, Chairman-in-Office of the Organization for Security and Cooperation in Europe, Mr. Vladimir Rushaylo, Chairman of the Executive Committee of the Commonwealth of Independent States, Mr. Ekmeleddin Ihsanoglu, Secretary General of the Organization of the Islamic Conference, Mr. Jaap de Hoop Scheffer, Secretary General of the North Atlantic Treaty Organization, Mr. Nikolai Bordyuzha, Secretary General of the Collective Security Treaty Organization, and Mr. Terry Davis, Secretary General of the Council of Europe.

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[412] Resolutions or decisions on this question were also adopted by the Security Council in 2005.

[413] A statement on behalf of Mr. Tuomioja was made by Mr. Markus Lyra, Under-Secretary of State in the Ministry of Foreign Affairs of Finland.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[415]

> "The Security Council recalls its previous relevant resolutions and the statements by its President on cooperation with regional and subregional organizations and its three previous meetings on this subject, held on 11 April 2003 under the presidency of Mexico, and on 20 July 2004 and 17 October 2005 under the presidency of Romania.
>
> "Member States emphasized that the Council has primary responsibility for the maintenance of international peace and security and that the establishment of a more effective partnership between the United Nations and regional and other intergovernmental organizations, consistent with Chapter VIII of the Charter of the United Nations, would contribute to the maintenance of peace and security.
>
> "The Council notes the start of the practice of annual Secretary-General's high-level meetings, their high-level attendance and their broadening substantive agenda. The Council notes that the seventh high-level meeting takes place immediately after its meeting of 20 September 2006, and the President of the Security Council has been invited to report the results of that meeting to the seventh high-level meeting.
>
> "The Council welcomes the progress made in realizing the goals of resolution 1631 (2005), as elaborated by the Secretary-General in his report,[416] and commends the efforts of the Secretary-General in strengthening partnerships with regional, subregional and other intergovernmental organizations on peace and security, thereby contributing to the realization of the recommendations of the 2005 World Summit Outcome[417] for a stronger relationship between such organizations and the United Nations. The Council calls upon the next Secretary-General to continue and strengthen these efforts.
>
> "The Council notes that a working-level meeting was organized by the United Nations Secretariat with regional and other intergovernmental organizations in early July 2006 to review the progress in implementing resolution 1631 (2005) and calls for this practice to continue in 2007.
>
> "The Council stresses the benefits of closer cooperation with regional and subregional organizations in the maintenance of international peace and security, including the brokering of peace agreements in conflict situations. In this regard, the Council agreed, in the recently adopted note by the President of the Security Council on the work of the Informal Working Group on Documentation and Other Procedural Questions,[418] to expand consultation and cooperation with regional and subregional organizations by:
>
> – Inviting relevant regional and subregional organizations to participate in the public and private meetings of the Council, when appropriate;

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[414] A statement on behalf of Mr. Moussa was made by Mr. Yahya Mahmassani, Permanent Observer for the League of Arab States to the United Nations.

[415] S/PRST/2006/39.

[416] S/2006/590.

[417] See General Assembly resolution 60/1.

[418] S/2006/507.

- Continuing to consult informally with regional and subregional organizations when drafting, inter alia, resolutions, presidential statements and press statements, as appropriate;
- Drawing the attention of representatives of regional and subregional organizations, where appropriate, to relevant resolutions, presidential statements and press statements.

"The Council encourages regional and subregional organizations to convey their perspectives and analysis to the Council prior to its examination of regionally relevant agenda items.

"The Council invites all regional and subregional organizations that have a capacity for peacekeeping or rapid response in crisis situations to enhance their working relations with the Secretariat and cooperate with the Secretariat to determine the conditions in which this capacity could contribute to the fulfilment of United Nations mandates and goals.

"The Council invites the Secretariat and regional and subregional organizations to explore further information-sharing on respective capabilities and lessons learned in peacekeeping by expanding the scope of the website of the Peacekeeping Best Practices Section of the Department of Peacekeeping Operations of the Secretariat to cover the deployment experiences of all regional and subregional organizations and all experiences of cooperation in peacekeeping between the United Nations and these organizations.

"The Council takes note of the progress report of the Secretary-General on the prevention of armed conflict,[419] including the recognition therein of the role played by regional and subregional organizations. The Council urges the Secretariat and United Nations agencies, as well as all States and other relevant international organizations to continue their efforts to contribute to the capacity-building of regional and subregional organizations, in particular of the African Union and African subregional organizations, which play a useful role in brokering peace agreements, conflict prevention, crisis management and post-conflict stabilization.

"The Council welcomes the intent of many regional and subregional organizations to be closely associated with the work of the Peacebuilding Commission and commits to facilitating their participation, as relevant, in the country-specific activities of the Commission.

"The Council equally welcomes efforts under way to enhance cooperation between the Secretariat and regional and subregional organizations in mediation and peacemaking, and invites the Secretariat to expand without delay its Peacemaking databank to regional and subregional organizations so as to facilitate mutual information and exchanges of experience.

"The Council notes with appreciation the efforts of an increasing number of regional and subregional organizations, working with the subsidiary bodies of the Council, to address the threats to international peace and security posed by acts of terrorism, and calls upon them to intensify their activity to develop the counter-terrorism capacity of their member States.

"The Council urges regional and subregional organizations to assist States, as appropriate, in implementing existing agreements and enhance efforts to eradicate the illicit trade in small arms and light weapons, including via more effective regional mechanisms. The Council also urges regional and subregional organizations to encourage their member States to strengthen their legislations in this field.

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[419] A/60/891.

"The Council recalls the relevant paragraphs of the 2005 World Summit Outcome and notes with gratitude the many steps that the Secretary-General has undertaken to strengthen the relationship between the United Nations and regional and subregional and other intergovernmental organizations. In this context, the Council intends to consider further steps to promote closer and more operational cooperation between the United Nations and regional, subregional and other intergovernmental organizations participating in the high-level meetings convened by the Secretary-General, in particular in the field of conflict prevention, peacebuilding and peacekeeping."

NON-PROLIFERATION[420]

Decision

At its 5612th meeting, on 23 December 2006, the Security Council decided to invite the representatives of Germany and Iran (Islamic Republic of) to participate, without vote, in the discussion of the item entitled "Non-proliferation".

Resolution 1737 (2006)
of 23 December 2006

The Security Council,

Recalling the statement by its President of 29 March 2006,[421] and its resolution 1696 (2006) of 31 July 2006,

Reaffirming its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons,[422] and recalling the right of States parties, in conformity with articles I and II of the Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

Reiterating its serious concern over the many reports of the Director General of the International Atomic Energy Agency and resolutions of the Board of Governors of the Agency related to the Islamic Republic of Iran's nuclear programme reported to it by the Director General, including resolution GOV/2006/14 adopted by the Board of Governors on 4 February 2006,[423]

Reiterating its serious concern also that the report of the Director General of 27 February 2006[424] lists a number of outstanding issues and concerns on the Islamic Republic of Iran's nuclear programme, including topics which could have a military nuclear dimension, and that the Agency is unable to conclude that there are no undeclared nuclear materials or activities in the Islamic Republic of Iran,

Reiterating its serious concern further over the report of the Director General of 28 April 2006[425] and the findings therein, including that, after more than three years of Agency efforts to seek clarity about all aspects of the Islamic Republic of Iran's nuclear programme, the existing gaps in knowledge continue to be a matter of concern, and that the Agency is unable to make progress in its efforts to provide assurances about the absence of undeclared nuclear material and activities in the Islamic Republic of Iran,

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[420] Resolutions or decisions on this question were also adopted by the Security Council during the period from 1 January to 31 July 2006.

[421] S/PRST/2006/15.

[422] United Nations, *Treaty Series*, vol. 729, No. 10485.

[423] See S/2006/80, annex.

[424] GOV/2006/15; see S/2006/150, annex.

[425] GOV/2006/27; see S/2006/270, annex.

Noting with serious concern that, as confirmed by the reports of the Director General of 8 June,[426] 31 August[427] and 14 November 2006,[428] the Islamic Republic of Iran has not established full and sustained suspension of all enrichment-related and reprocessing activities as set out in resolution 1696 (2006), nor resumed its cooperation with the Agency under the Additional Protocol, nor taken the other steps required of it by the Board of Governors, nor complied with the provisions of resolution 1696 (2006), which are essential to build confidence, and deploring the Islamic Republic of Iran's refusal to take these steps,

Emphasizing the importance of political and diplomatic efforts to find a negotiated solution guaranteeing that the Islamic Republic of Iran's nuclear programme is exclusively for peaceful purposes, noting that such a solution would benefit nuclear non-proliferation elsewhere, and welcoming the continuing commitment of China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America, with the support of the High Representative of the European Union, to seek a negotiated solution,

Determined to give effect to its decisions by adopting appropriate measures to persuade the Islamic Republic of Iran to comply with resolution 1696 (2006) and with the requirements of the Agency, and also to constrain the Islamic Republic of Iran's development of sensitive technologies in support of its nuclear and missile programmes, until such time as the Security Council determines that the objectives of the present resolution have been met,

Concerned by the proliferation risks presented by the Iranian nuclear programme and, in this context, by the Islamic Republic of Iran's continuing failure to meet the requirements of the Board of Governors and to comply with the provisions of resolution 1696 (2006), mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Acting under Article 41 of Chapter VII of the Charter,

1. *Affirms* that the Islamic Republic of Iran shall without further delay take the steps required by the Board of Governors of the International Atomic Energy Agency in its resolution GOV/2006/14,[423] which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions;

2. *Decides*, in this context, that the Islamic Republic of Iran shall without further delay suspend the following proliferation-sensitive nuclear activities:

(*a*) All enrichment-related and reprocessing activities, including research and development, to be verified by the Agency; and

(*b*) Work on all heavy water-related projects, including the construction of a research reactor moderated by heavy water, also to be verified by the Agency;

3. *Decides also* that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories, or by their nationals or using their flag vessels or aircraft to, or for the use in or benefit of, the Islamic Republic of Iran, and whether or not originating in their territories, of all items, materials, equipment, goods and technology which could contribute to the Islamic Republic of Iran's enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems, namely:

(*a*) Those set out in sections B.2, B.3, B.4, B.5, B.6 and B.7 of INFCIRC/254/Rev.8/Part 1 in document S/2006/814;

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[426] GOV/2006/38.

[427] GOV/2006/53; see S/2006/702, annex.

[428] GOV/2006/64.

(*b*) Those set out in sections A.1 and B.1 of INFCIRC/254/Rev.8/Part 1 in document S/2006/814, except the supply, sale or transfer of:

(i) Equipment covered by B.1 when such equipment is for light water reactors;

(ii) Low-enriched uranium covered by A.1.2 when it is incorporated in assembled nuclear fuel elements for such reactors;

(*c*) Those set out in document S/2006/815, except the supply, sale or transfer of items covered by 19.A.3 of Category II;

(*d*) Any additional items, materials, equipment, goods and technology, determined as necessary by the Security Council or the Committee established pursuant to paragraph 18 below (hereinafter "the Committee"), which could contribute to enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems;

4. *Decides further* that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories, or by their nationals or using their flag vessels or aircraft to, or for the use in or benefit of, the Islamic Republic of Iran, and whether or not originating in their territories, of the following items, materials, equipment, goods and technology:

(*a*) Those set out in INFCIRC/254/Rev.7/Part 2 in document S/2006/814 if the State determines that they would contribute to enrichment-related, reprocessing or heavy water-related activities;

(*b*) Any other items not listed in document S/2006/814 or document S/2006/815 if the State determines that they would contribute to enrichment-related, reprocessing or heavy water-related activities, or to the development of nuclear weapon delivery systems;

(*c*) Any further items if the State determines that they would contribute to the pursuit of activities related to other topics about which the Agency has expressed concerns or identified as outstanding;

5. *Decides* that, for the supply, sale or transfer of all items, materials, equipment, goods and technology covered by documents S/2006/814 and S/2006/815 the export of which to the Islamic Republic of Iran is not prohibited by paragraph 3 (*b*), paragraph 3 (*c*) or paragraph 4 (*a*) above, States shall ensure that:

(*a*) The requirements, as appropriate, of the Guidelines as set out in documents S/2006/814 and S/2006/985 have been met; and

(*b*) They have obtained and are in a position to exercise effectively a right to verify the end-use and end-use location of any supplied item; and

(*c*) They notify the Committee within ten days of the supply, sale or transfer; and

(*d*) In the case of items, materials, equipment, goods and technology contained in document S/2006/814, they also notify the Agency within ten days of the supply, sale or transfer;

6. *Decides also* that all States shall also take the necessary measures to prevent the provision to the Islamic Republic of Iran of any technical assistance or training, financial assistance, investment, brokering or other services, and the transfer of financial resources or services, related to the supply, sale, transfer, manufacture or use of the prohibited items, materials, equipment, goods and technology specified in paragraphs 3 and 4 above;

7. *Decides further* that the Islamic Republic of Iran shall not export any of the items in documents S/2006/814 and S/2006/815 and that all Member States shall prohibit the procurement of such items from the Islamic Republic of Iran by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of the Islamic Republic of Iran;

8. *Decides* that the Islamic Republic of Iran shall provide such access and cooperation as the Agency requests to be able to verify the suspension outlined in paragraph 2 above and to

resolve all outstanding issues, as identified in Agency reports, and calls upon the Islamic Republic of Iran to ratify promptly the Additional Protocol;

9. *Decides also* that the measures imposed by paragraphs 3, 4 and 6 above shall not apply where the Committee determines in advance and on a case-by-case basis that such supply, sale, transfer or provision of such items or assistance would clearly not contribute to the development of the Islamic Republic of Iran's technologies in support of its proliferation-sensitive nuclear activities and of the development of nuclear weapon delivery systems, including where such items or assistance are for food, agricultural, medical or other humanitarian purposes, provided that:

(*a*) Contracts for delivery of such items or assistance include appropriate end-user guarantees; and

(*b*) The Islamic Republic of Iran has committed not to use such items in proliferation-sensitive nuclear activities or for the development of nuclear weapon delivery systems;

10. *Calls upon* all States to exercise vigilance regarding the entry into or transit through their territories of individuals who are engaged in, directly associated with or providing support for the Islamic Republic of Iran's proliferation-sensitive nuclear activities or for the development of nuclear weapon delivery systems, and decides in this regard that all States shall notify the Committee of the entry into or transit through their territories of the persons designated in the annex to the present resolution (hereinafter "the annex"), as well as of additional persons designated by the Council or the Committee as being engaged in, directly associated with or providing support for the Islamic Republic of Iran's proliferation-sensitive nuclear activities and for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 above, except where such travel is for activities directly related to the items in paragraphs 3 (*b*) (i) and (ii) above;

11. *Underlines* that nothing in paragraph 10 above requires a State to refuse its own nationals entry into its territory, and that all States shall, in the implementation of paragraph 10 above, take into account humanitarian considerations as well as the necessity to meet the objectives of the present resolution, including where article XV of the statute of the Agency[429] is engaged;

12. *Decides* that all States shall freeze the funds, other financial assets and economic resources which are on their territories at the date of adoption of the present resolution or at any time thereafter, that are owned or controlled by the persons or entities designated in the annex, as well as those of additional persons or entities designated by the Council or by the Committee as being engaged in, directly associated with or providing support for the Islamic Republic of Iran's proliferation-sensitive nuclear activities or for the development of nuclear weapon delivery systems, or by persons or entities acting on their behalf or at their direction, or by entities owned or controlled by them, including through illicit means, and that the measures in this paragraph shall cease to apply in respect of such persons or entities if, and at such time as, the Council or the Committee removes them from the annex, and decides further that all States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons or entities within their territories, to or for the benefit of these persons and entities;

13. *Decides also* that the measures imposed by paragraph 12 above do not apply to funds, other financial assets or economic resources that have been determined by the relevant States:

(*a*) To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within five working days of such notification;

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[429] United Nations, *Treaty Series*, vol. 276, No. 3988.

(*b*) To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee;

(*c*) To be the subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement provided that the lien or judgement was entered into prior to the date of the present resolution, is not for the benefit of a person or entity designated pursuant to paragraphs 10 and 12 above, and has been notified by the relevant States to the Committee;

(*d*) To be necessary for activities directly related to the items specified in paragraphs 3 (*b*) (i) and (ii) above and have been notified by the relevant States to the Committee;

14. *Decides further* that States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 12 above of interest or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of the present resolution, provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen;

15. *Decides* that the measures in paragraph 12 above shall not prevent a designated person or entity from making payment due under a contract entered into prior to the listing of such a person or entity, provided that the relevant States have determined that:

(*a*) The contract is not related to any of the prohibited items, materials, equipment, goods, technologies, assistance, training, financial assistance, investment, brokering or services referred to in paragraphs 3, 4 and 6 above;

(*b*) The payment is not directly or indirectly received by a person or entity designated pursuant to paragraph 12 above;

and after notification by the relevant States to the Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, ten working days prior to such authorization;

16. *Decides also* that technical cooperation provided to the Islamic Republic of Iran by the Agency or under its auspices shall only be for food, agricultural, medical, safety or other humanitarian purposes, or where it is necessary for projects directly related to the items specified in paragraphs 3 (*b*) (i) and (ii) above, but that no such technical cooperation shall be provided that relates to the proliferation-sensitive nuclear activities set out in paragraph 2 above;

17. *Calls upon* all States to exercise vigilance and prevent specialized teaching or training of Iranian nationals, within their territories or by their nationals, of disciplines which would contribute to the Islamic Republic of Iran's proliferation-sensitive nuclear activities and to the development of nuclear weapon delivery systems;

18. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks:

(*a*) To seek from all States, in particular those in the region and those producing the items, materials, equipment, goods and technology referred to in paragraphs 3 and 4 above, information regarding the actions taken by them to implement effectively the measures imposed by paragraphs 3, 4, 5, 6, 7, 8, 10 and 12 above and whatever further information it may consider useful in this regard;

(*b*) To seek from the Secretariat of the Agency information regarding the actions taken by the Agency to implement effectively the measures imposed by paragraph 16 above and whatever further information it may consider useful in this regard;

(*c*) To examine and take appropriate action on information regarding alleged violations of the measures imposed by paragraphs 3, 4, 5, 6, 7, 8, 10 and 12 above;

(*d*) To consider and decide upon requests for exemptions set out in paragraphs 9, 13 and 15 above;

(*e*) To determine as may be necessary additional items, materials, equipment, goods and technology to be specified for the purpose of paragraph 3 above;

(*f*) To designate as may be necessary additional individuals and entities subject to the measures imposed by paragraphs 10 and 12 above;

(*g*) To promulgate guidelines as may be necessary to facilitate the implementation of the measures imposed by the present resolution and include in such guidelines a requirement for States to provide information, where possible, as to why any individuals and/or entities meet the criteria set out in paragraphs 10 and 12 above and any relevant identifying information;

(*h*) To report at least every ninety days to the Council on its work and on the implementation of the present resolution, with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed by paragraphs 3, 4, 5, 6, 7, 8, 10 and 12 above;

19. *Decides also* that all States shall report to the Committee within sixty days of the adoption of the present resolution on the steps they have taken with a view to implementing effectively paragraphs 3, 4, 5, 6, 7, 8, 10, 12 and 17 above;

20. *Expresses the conviction* that the suspension set out in paragraph 2 above, as well as full, verified Iranian compliance with the requirements set out by the Board of Governors of the Agency, would contribute to a diplomatic, negotiated solution that guarantees that the Islamic Republic of Iran's nuclear programme is for exclusively peaceful purposes, underlines the willingness of the international community to work positively for such a solution, encourages the Islamic Republic of Iran, in conforming to the above provisions, to re-engage with the international community and with the Agency, and stresses that such engagement will be beneficial to the Islamic Republic of Iran;

21. *Welcomes* the commitment of China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America, with the support of the High Representative of the European Union, to a negotiated solution to this issue, and encourages the Islamic Republic of Iran to engage with their proposals of June 2006,[430] which were endorsed by the Council in resolution 1696 (2006), for a long-term comprehensive agreement which would allow for the development of relations and cooperation with the Islamic Republic of Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme;

22. *Reiterates its determination* to reinforce the authority of the Agency, strongly supports the role of the Board of Governors of the Agency, commends and encourages the Director General and the Secretariat of the Agency for their ongoing professional and impartial efforts to resolve all remaining outstanding issues in the Islamic Republic of Iran within the framework of the Agency, and underlines the necessity of the Agency continuing its work to clarify all outstanding issues relating to the Islamic Republic of Iran's nuclear programme;

23. *Requests* within sixty days a report from the Director General on whether the Islamic Republic of Iran has established full and sustained suspension of all activities mentioned in the

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[430] See S/2006/521, annex; see also annex II to resolution 1747 (2007) reproduced on page 271 of the present volume.

present resolution, as well as on the process of Iranian compliance with all the steps required by the Board of Governors and with the other provisions of the present resolution, to the Board and, in parallel, to the Council for its consideration;

24. *Affirms* that it shall review the actions of the Islamic Republic of Iran in the light of the report referred to in paragraph 23 above, to be submitted within sixty days, and:

(*a*) That it shall suspend the implementation of measures if and for so long as the Islamic Republic of Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the Agency, to allow for negotiations;

(*b*) That it shall terminate the measures specified in paragraphs 3, 4, 5, 6, 7, 10 and 12 above as soon as it determines that the Islamic Republic of Iran has fully complied with its obligations under the relevant resolutions of the Council and met the requirements of the Board of Governors, as confirmed by the Board;

(*c*) That it shall, in the event that the report referred to in paragraph 23 above shows that the Islamic Republic of Iran has not complied with the present resolution, adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade the Islamic Republic of Iran to comply with the present resolution and the requirements of the Agency, and underlines that further decisions will be required should such additional measures be necessary;

25. *Decides* to remain seized of the matter.

Adopted unanimously at the 5612th meeting.

Annex

A. Entities involved in the nuclear programme

1. Atomic Energy Organisation of Iran
2. Mesbah Energy Company (provider for A40 research reactor – Arak)
3. Kala-Electric (aka Kalaye Electric) (provider for PFEP – Natanz)
4. Pars Trash Company (involved in centrifuge programme, identified in IAEA reports)
5. Farayand Technique (involved in centrifuge programme, identified in IAEA reports)
6. Defence Industries Organisation (overarching MODAFL-controlled entity, some of whose subordinates have been involved in the centrifuge programme making components, and in the missile programme)
7. 7th of Tir (subordinate of DIO, widely recognized as being directly involved in the nuclear programme)

B. Entities involved in the ballistic missile programme

1. Shahid Hemmat Industrial Group (SHIG) (subordinate entity of AIO)
2. Shahid Bagheri Industrial Group (SBIG) (subordinate entity of AIO)
3. Fajr Industrial Group (formerly Instrumentation Factory Plant, subordinate entity of AIO)

C. Persons involved in the nuclear programme

1. Mohammad Qannadi, AEOI Vice President for Research & Development
2. Behman Asgarpour, Operational Manager (Arak)
3. Dawood Agha-Jani, Head of the PFEP (Natanz)
4. Ehsan Monajemi, Construction Project Manager, Natanz

5. Jafar Mohammadi, Technical Adviser to the AEOI (in charge of managing the production of valves for centrifuges)
6. Ali Hajinia Leilabadi, Director General of Mesbah Energy Company
7. Lt Gen Mohammad Mehdi Nejad Nouri, Rector of Malek Ashtar University of Defence Technology (chemistry dept, affiliated to MODALF, has conducted experiments on beryllium)

D. Persons involved in the ballistic missile programme

1. Gen Hosein Salimi, Commander of the Air Force, IRGC (Pasdaran)
2. Ahmad Vahid Dastjerdi, Head of the AIO
3. Reza-Gholi Esmaeli, Head of Trade & International Affairs Dept, AIO
4. Bahmanyar Morteza Bahmanyar, Head of Finance & Budget Dept, AIO

E. Persons involved in both the nuclear and ballistic missile programmes

Maj Gen Yahya Rahim Safavi, Commander, IRGC (Pasdaran)

Decisions

At its 5646th meeting, on 23 March 2007, the Security Council considered the item entitled:

"Non-proliferation

> "Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Johan Verbeke, Chairman of the Security Council Committee established pursuant to resolution 1737 (2006).

At its 5647th meeting, on 24 March 2007, the Council decided to invite the representatives of Germany and Iran (Islamic Republic of) (Minister for Foreign Affairs), to participate, without vote, in the discussion of the item entitled "Non-proliferation".

Resolution 1747 (2007)
of 24 March 2007

The Security Council,

Recalling the statement by its President of 29 March 2006,[421] and its resolutions 1696 (2006) of 31 July 2006 and 1737 (2006) of 23 December 2006, and reaffirming their provisions,

Reaffirming its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons[422] and the need for all States parties to the Treaty to comply fully with all their obligations, and recalling the right of States parties, in conformity with articles I and II of the Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

Recalling its serious concern over the reports of the Director General of the International Atomic Energy Agency as set out in its resolutions 1696 (2006) and 1737 (2006),

Recalling the latest report of the Director General of the Agency, of 22 February 2007,[431] and deploring that, as indicated therein, the Islamic Republic of Iran has failed to comply with resolutions 1696 (2006) and 1737 (2006),

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[431] GOV/2007/8; see S/2007/100, annex.

Emphasizing the importance of political and diplomatic efforts to find a negotiated solution guaranteeing that the Islamic Republic of Iran's nuclear programme is exclusively for peaceful purposes, and noting that such a solution would benefit nuclear non-proliferation elsewhere, and welcoming the continuing commitment of China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America, with the support of the High Representative of the European Union, to seek a negotiated solution,

Recalling resolution GOV/2006/14 of the Board of Governors of the Agency,[423] which states that a solution to the Iranian nuclear issue would contribute to global non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery,

Determined to give effect to its decisions by adopting appropriate measures to persuade the Islamic Republic of Iran to comply with resolutions 1696 (2006) and 1737 (2006) and with the requirements of the Agency, and also to constrain the Islamic Republic of Iran's development of sensitive technologies in support of its nuclear and missile programmes, until such time as the Security Council determines that the objectives of those resolutions have been met,

Recalling the requirement for States to join in affording mutual assistance in carrying out the measures decided upon by the Council,

Concerned by the proliferation risks presented by the Iranian nuclear programme and, in this context, by the Islamic Republic of Iran's continuing failure to meet the requirements of the Board of Governors and to comply with the provisions of Council resolutions 1696 (2006) and 1737 (2006), mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Acting under Article 41 of Chapter VII of the Charter,

1. *Reaffirms* that the Islamic Republic of Iran shall without further delay take the steps required by the Board of Governors of the International Atomic Energy Agency in its resolution GOV/2006/14,[423] which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions, and, in this context, affirms its decision that the Islamic Republic of Iran shall without further delay take the steps required in paragraph 2 of resolution 1737 (2006);

2. *Calls upon* all States to exercise vigilance and restraint regarding the entry into or transit through their territories of individuals who are engaged in, directly associated with or providing support for the Islamic Republic of Iran's proliferation-sensitive nuclear activities or for the development of nuclear weapon delivery systems, and decides in this regard that all States shall notify the Security Council Committee established pursuant to paragraph 18 of resolution 1737 (2006) (hereinafter "the Committee") of the entry into or transit through their territories of the persons designated in the annex to resolution 1737 (2006) or annex I to the present resolution, as well as of additional persons designated by the Council or the Committee as being engaged in, directly associated with or providing support for the Islamic Republic of Iran's proliferation-sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such travel is for activities directly related to the items in paragraphs 3 (*b*) (i) and (ii) of that resolution;

3. *Underlines* that nothing in paragraph 2 above requires a State to refuse its own nationals entry into its territory, and that all States shall, in the implementation of paragraph 2 above, take into account humanitarian considerations, including religious obligations, as well as the necessity to meet the objectives of the present resolution and resolution 1737 (2006), including where article XV of the statute of the Agency[429] is engaged;

4. *Decides* that the measures specified in paragraphs 12, 13, 14 and 15 of resolution 1737 (2006) shall apply also to the persons and entities listed in annex I to the present resolution;

5. *Decides also* that the Islamic Republic of Iran shall not supply, sell or transfer directly or indirectly from its territory or by its nationals or using its flag vessels or aircraft any arms or related materiel, and that all States shall prohibit the procurement of such items from the Islamic Republic of Iran by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of the Islamic Republic of Iran;

6. *Calls upon* all States to exercise vigilance and restraint in the supply, sale or transfer directly or indirectly from their territories or by their nationals or using their flag vessels or aircraft of any battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register of Conventional Arms[432] to the Islamic Republic of Iran, and in the provision to the Islamic Republic of Iran of any technical assistance or training, financial assistance, investment, brokering or other services, and the transfer of financial resources or services, related to the supply, sale, transfer, manufacture or use of such items in order to prevent a destabilizing accumulation of arms;

7. *Calls upon* all States and international financial institutions not to enter into new commitments for grants, financial assistance and concessional loans to the Government of the Islamic Republic of Iran, except for humanitarian and development purposes;

8. *Calls upon* all States to report to the Committee within sixty days of the adoption of the present resolution on the steps they have taken with a view to implementing effectively paragraphs 2, 4, 5, 6 and 7 above;

9. *Expresses the conviction* that the suspension set out in paragraph 2 of resolution 1737 (2006) as well as full, verified Iranian compliance with the requirements set out by the Board of Governors of the Agency would contribute to a diplomatic, negotiated solution that guarantees that the Islamic Republic of Iran's nuclear programme is for exclusively peaceful purposes, underlines the willingness of the international community to work positively for such a solution, encourages the Islamic Republic of Iran, in conforming to the above provisions, to re-engage with the international community and with the Agency, and stresses that such engagement will be beneficial to the Islamic Republic of Iran;

10. *Welcomes* the continuous affirmation of the commitment of China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America, with the support of the High Representative of the European Union, to a negotiated solution to this issue and encourages the Islamic Republic of Iran to engage with their proposals of June 2006, attached in annex II to the present resolution, which were endorsed by the Council in resolution 1696 (2006), and acknowledges with appreciation that this offer to the Islamic Republic of Iran remains on the table, for a long-term comprehensive agreement which would allow for the development of relations and cooperation with the Islamic Republic of Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme;

11. *Reiterates its determination* to reinforce the authority of the Agency, strongly supports the role of the Board of Governors of the Agency, commends and encourages the Director General and the Secretariat of the Agency for their ongoing professional and impartial efforts to resolve all outstanding issues in the Islamic Republic of Iran within the framework of the Agency, underlines the necessity for the Agency, which is internationally recognized as having authority for verifying compliance with safeguards agreements, including the non-diversion of nuclear material for non-peaceful purposes, in accordance with its statute, to continue its work to clarify all outstanding issues relating to the Islamic Republic of Iran's nuclear programme;

12. *Requests* within sixty days a further report from the Director General on whether the Islamic Republic of Iran has established full and sustained suspension of all activities mentioned

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[432] See General Assembly resolution 46/36 L.

in resolution 1737 (2006), as well as on the process of Iranian compliance with all the steps required by the Board of Governors and with the other provisions of resolution 1737 (2006) and of the present resolution, to the Board and, in parallel, to the Council for its consideration;

13. *Affirms* that it shall review the actions of the Islamic Republic of Iran in the light of the report referred to in paragraph 12 above, to be submitted within sixty days, and:

(*a*) That it shall suspend the implementation of measures if and for so long as the Islamic Republic of Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the Agency, to allow for negotiations in good faith in order to reach an early and mutually acceptable outcome;

(*b*) That it shall terminate the measures specified in paragraphs 3, 4, 5, 6, 7 and 12 of resolution 1737 (2006) as well as in paragraphs 2, 4, 5, 6 and 7 above as soon as it determines, following receipt of the report referred to in paragraph 12 above, that the Islamic Republic of Iran has fully complied with its obligations under the relevant resolutions of the Council and met the requirements of the Board of Governors, as confirmed by the Board;

(*c*) That it shall, in the event that the report referred to in paragraph 12 above shows that the Islamic Republic of Iran has not complied with resolution 1737 (2006) and the present resolution, adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade the Islamic Republic of Iran to comply with these resolutions and the requirements of the Agency, and underlines that further decisions will be required should such additional measures be necessary;

14. *Decides* to remain seized of the matter.

Adopted unanimously at the 5647th meeting.

Annex I

Entities involved in nuclear or ballistic missile activities

1. Ammunition and Metallurgy Industries Group (AMIG) (aka Ammunition Industries Group) (AMIG controls 7th of Tir, which is designated under resolution 1737 (2006) for its role in the Islamic Republic of Iran's centrifuge programme. AMIG is in turn owned and controlled by the Defence Industries Organisation (DIO), which is designated under resolution 1737 (2006))

2. Esfahan Nuclear Fuel Research and Production Centre (NFRPC) and Esfahan Nuclear Technology Centre (ENTC) (Parts of the Atomic Energy Organisation of Iran's (AEOI) Nuclear Fuel Production and Procurement Company, which is involved in enrichment-related activities. AEOI is designated under resolution 1737 (2006))

3. Kavoshyar Company (Subsidiary company of AEOI, which has sought glass fibres, vacuum chamber furnaces and laboratory equipment for the Islamic Republic of Iran's nuclear programme)

4. Parchin Chemical Industries (Branch of DIO, which produces ammunition, explosives, as well as solid propellants for rockets and missiles)

5. Karaj Nuclear Research Centre (Part of AEOI's research division)

6. Novin Energy Company (aka Pars Novin) (Operates within AEOI and has transferred funds on behalf of AEOI to entities associated with the Islamic Republic of Iran's nuclear programme)

7. Cruise Missile Industry Group (aka Naval Defence Missile Industry Group) (Production and development of cruise missiles. Responsible for naval missiles including cruise missiles)

8. Bank Sepah and Bank Sepah International (Bank Sepah provides support for the Aerospace Industries Organisation (AIO) and subordinates, including Shahid Hemmat Industrial Group (SHIG) and Shahid Bagheri Industrial Group (SBIG), both of which were designated under resolution 1737 (2006))

9. Sanam Industrial Group (subordinate to AIO, which has purchased equipment on AIO's behalf for the missile programme)
10. Ya Mahdi Industries Group (subordinate to AIO, which is involved in international purchases of missile equipment)

Iranian Revolutionary Guard Corps entities

1. Qods Aeronautics Industries (Produces unmanned aerial vehicles (UAVs), parachutes, para-gliders, para-motors, etc. Iranian Revolutionary Guard Corps (IRGC) has boasted of using these products as part of its asymmetric warfare doctrine)
2. Pars Aviation Services Company (Maintains various aircraft including MI-171, used by IRGC Air Force)
3. Sho'a' Aviation (Produces micro-lights which IRGC has claimed it is using as part of its asymmetric warfare doctrine)

Persons involved in nuclear or ballistic missile activities

1. Fereidoun Abbasi-Davani (Senior Ministry of Defence and Armed Forces Logistics (MODAFL) scientist with links to the Institute of Applied Physics, working closely with Mohsen Fakhrizadeh-Mahabadi, designated below)
2. Mohsen Fakhrizadeh-Mahabadi (Senior MODAFL scientist and former head of the Physics Research Centre (PHRC). The IAEA has asked to interview him about the activities of the PHRC over the period he was head but the Islamic Republic of Iran has refused)
3. Seyed Jaber Safdari (Manager of the Natanz Enrichment Facilities)
4. Amir Rahimi (Head of Esfahan Nuclear Fuel Research and Production Center, which is part of the AEOI's Nuclear Fuel Production and Procurement Company, which is involved in enrichment-related activities)
5. Mohsen Hojati (Head of Fajr Industrial Group, which is designated under resolution 1737 (2006) for its role in the ballistic missile programme)
6. Mehrdada Akhlaghi Ketabachi (Head of SBIG, which is designated under resolution 1737 (2006) for its role in the ballistic missile programme)
7. Naser Maleki (Head of SHIG, which is designated under resolution 1737 (2006) for its role in the Islamic Republic of Iran's ballistic missile programme. Naser Maleki is also a MODAFL official overseeing work on the Shahab-3 ballistic missile programme. The Shahab-3 is the Islamic Republic of Iran's long-range ballistic missile currently in service)
8. Ahmad Derakhshandeh (Chairman and Managing Director of Bank Sepah, which provides support for the AIO and subordinates, including SHIG and SBIG, both of which were designated under resolution 1737 (2006))

Iranian Revolutionary Guard Corps key persons

1. Brigadier General Morteza Rezaie (Deputy Commander of IRGC)
2. Vice Admiral Ali Akbar Ahmadian (Chief of IRGC Joint Staff)
3. Brigadier General Mohammad Reza Zahedi (Commander of IRGC Ground Forces)
4. Rear Admiral Morteza Safari (Commander of IRGC Navy)
5. Brigadier General Mohammad Hejazi (Commander of Bassij resistance force)
6. Brigadier General Qasem Soleimani (Commander of Qods force)
7. General Zolqadr (IRGC officer, Deputy Interior Minister for Security Affairs)

Annex II

Elements of a long-term agreement

Our goal is to develop relations and cooperation with the Islamic Republic of Iran, based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of the nuclear programme of the Islamic Republic of Iran. We propose a fresh start in the negotiation of a comprehensive agreement with the Islamic Republic of Iran. Such an agreement would be deposited with the International Atomic Energy Agency (IAEA) and endorsed in a Security Council resolution.

To create the right conditions for negotiations,

We will:

- Reaffirm the Islamic Republic of Iran's right to develop nuclear energy for peaceful purposes in conformity with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter NPT),[422] and in this context reaffirm our support for the development by the Islamic Republic of Iran of a civil nuclear energy programme.
- Commit to support actively the building of new light water reactors in the Islamic Republic of Iran through international joint projects, in accordance with the IAEA statute[429] and NPT.
- Agree to suspend discussion of the Islamic Republic of Iran's nuclear programme in the Security Council upon the resumption of negotiations.

The Islamic Republic of Iran will:

- Commit to addressing all of the outstanding concerns of IAEA through full cooperation with IAEA.
- Suspend all enrichment-related and reprocessing activities to be verified by IAEA, as requested by the IAEA Board of Governors and the Security Council, and commit to continue this during these negotiations.
- Resume the implementation of the Additional Protocol.

Areas of future cooperation to be covered in negotiations on a long-term agreement

1. Nuclear

We will take the following steps:

The Islamic Republic of Iran's rights to nuclear energy

- Reaffirm the Islamic Republic of Iran's inalienable right to nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of NPT, and cooperate with the Islamic Republic of Iran in the development by the Islamic Republic of Iran of a civil nuclear power programme.
- Negotiate and implement a Euratom/Islamic Republic of Iran nuclear cooperation agreement.

Light water reactors

- Actively support the building of new light water power reactors in the Islamic Republic of Iran through international joint projects, in accordance with the IAEA statute and NPT, using state-of-the-art technology, including by authorizing the transfer of necessary goods and the provision of advanced technology to make its power reactors safe against earthquakes.
- Provide cooperation with the management of spent nuclear fuel and radioactive waste through appropriate arrangements.

Research and development in nuclear energy

- Provide a substantive package of research and development cooperation, including possible provision of light water research reactors, notably in the fields of radioisotope production, basic research and nuclear applications in medicine and agriculture.

Fuel guarantees

- Give legally binding, multilayered fuel assurances to the Islamic Republic of Iran, based on:
    - Participation as a partner in an international facility in the Russian Federation to provide enrichment services for a reliable supply of fuel to the Islamic Republic of Iran's nuclear reactors. Subject to negotiations, such a facility could enrich all uranium hexaflouride (UF_6) produced in the Islamic Republic of Iran.
    - Establishment on commercial terms of a buffer stock to hold a reserve of up to five years' supply of nuclear fuel dedicated to the Islamic Republic of Iran, with the participation and under supervision of IAEA.
    - Development with IAEA of a standing multilateral mechanism for reliable access to nuclear fuel, based on ideas to be considered at the next meeting of the Board of Governors.

Review of moratorium

The long-term agreement would, with regard to common efforts to build international confidence, contain a clause for review of the agreement in all its aspects, to follow:

- Confirmation by IAEA that all outstanding issues and concerns reported by it, including those activities which could have a military nuclear dimension, have been resolved.
- Confirmation that there are no undeclared nuclear activities or materials in the Islamic Republic of Iran and that international confidence in the exclusively peaceful nature of the Islamic Republic of Iran's civil nuclear programme has been restored.

2. Political and economic

Regional security cooperation

Support for a new conference to promote dialogue and cooperation on regional security issues.

International trade and investment

Improving the Islamic Republic of Iran's access to the international economy, markets and capital, through practical support for full integration into international structures, including the World Trade Organization, and to create the framework for increased direct investment in the Islamic Republic of Iran and trade with the Islamic Republic of Iran (including a trade and economic cooperation agreement with the European Union). Steps would be taken to improve access to key goods and technology.

Civil aviation

Civil aviation cooperation, including the possible removal of restrictions on United States and European manufacturers in regard to the export of civil aircraft to the Islamic Republic of Iran, thereby widening the prospect of the Islamic Republic of Iran renewing its fleet of civil airliners.

Energy partnership

Establishment of a long-term energy partnership between the Islamic Republic of Iran and the European Union and other willing partners, with concrete and practical applications.

Telecommunications infrastructure

Support for the modernization of the Islamic Republic of Iran's telecommunications infrastructure and advanced Internet provision, including by possible removal of relevant United States and other export restrictions.

High technology cooperation

Cooperation in fields of high technology and other areas to be agreed upon.

Agriculture

Support for agricultural development in the Islamic Republic of Iran, including possible access to United States and European agricultural products, technology and farm equipment.

Decision

At its 5702nd meeting, on 21 June 2007, the Security Council considered the item entitled:

"Non-proliferation

> "Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)".

THE SITUATION IN CHAD AND THE SUDAN[433]

Decisions

At its 5595th meeting, on 15 December 2006, the Security Council decided to invite the representative of Chad to participate, without vote, in the discussion of the item entitled "The situation in Chad and the Sudan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[434]

> "The Security Council expresses its grave concern regarding the increase in military activities of armed groups in eastern Chad.
>
> "The Council strongly condemns all attempts at destabilization by force, including the recent offensive carried out by these groups in Biltine and Ouaddei in eastern Chad, and supports the statement of the Chairperson of the African Union Commission that those attacks against Chad are a blatant violation of the principles stated in the Constitutive Act of the African Union,[435] including respect for the territorial integrity and unity of member States. The Council reaffirms that any attempt to seize power by force is unacceptable. It recalls the importance of an open political dialogue based on constitutional provisions to foster national reconciliation and durable peace in the country.

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[433] Resolutions or decisions on this question were also adopted by the Security Council during the period from 1 January to 31 July 2006.

[434] S/PRST/2006/53.

[435] United Nations, *Treaty Series*, vol. 2158, No. 37733.

> "The Council expresses its concern regarding the threat that the increase in military activities of armed groups in eastern Chad poses for the safety of the civilian population and of humanitarian personnel and the maintenance of their operations in the eastern part of the country. It reiterates that the presence of a large number of refugees places a heavy burden on the host country and the local communities, and emphasizes the need for humanitarian aid to continue reaching the people in need of assistance without any hindrance. It calls upon the Government of Chad to do all it can to protect its civilian population.
>
> "The Council reaffirms its deep concern about the worsening security situation in Darfur. It stresses that a peaceful settlement of the conflict in Darfur, in accordance with the Darfur Peace Agreement and relevant Council resolutions, will contribute to restoring security and stability in the region, in particular in Chad and the Central African Republic, and reaffirms its commitment to the sovereignty, unity, independence and territorial integrity of all States in the region.
>
> "The Council expresses its concern over the continuing tensions between Chad and the Sudan, urges the two States to abide fully by the obligations they assumed with regard to respect for and securing of their common border in the Tripoli Agreement of 8 February 2006[436] and in subsequent agreements concluded between them, and once again urges the States of the region to cooperate with a view to ensuring their common stability.
>
> "The Council recalls that it looks forward to a prompt report of the Secretary-General with recommendations, as requested in previous relevant Council resolutions, focusing on ways of improving security conditions on the Chadian side of the border with the Sudan and the monitoring of trans-border activities between Chad, the Sudan and the Central African Republic, bearing in mind the need to foster regional peace and stability."

At its 5621st meeting, on 16 January 2007, the Council decided to invite the representative of the Central African Republic to participate, without vote, in the discussion of the item entitled:

"The situation in Chad and the Sudan

> "Report of the Secretary-General on Chad and the Central African Republic pursuant to paragraphs 9 (*d*) and 13 of Security Council resolution 1706 (2006) (S/2006/1019)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[437]

> "The Security Council reiterates its concern about the continuing instability along the borders between the Sudan, Chad and the Central African Republic and about the threat that this poses to the safety of the civilian population and the conduct of humanitarian operations.
>
> "The Council takes note of the report of the Secretary-General of 22 December 2006,[438] which contains preliminary recommendations on the deployment of a multidimensional United Nations presence in eastern Chad and the north-eastern Central African Republic. It notes the position taken by the Central African and Chadian authorities in favour, in principle, of such a presence and looks forward to their continued engagement in preparing for it.
>
> "The Council notes the intention of the Secretary-General to authorize the immediate return of the technical assessment mission to the region in order to complete its observations that were curtailed on security grounds and requests him to submit, by the middle of February 2007, updated and finalized recommendations on the size, structure and mandate of a United Nations multidimensional presence.

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[436] Tripoli Agreement to Settle the Dispute between the Republic of Chad and the Republic of the Sudan (S/2006/103, annex II).

[437] S/PRST/2007/2.

[438] S/2006/1019.

> "To accelerate preparations for an early decision on the possible deployment of a multidimensional United Nations presence, the Council requests that the Secretary-General deploy as soon as possible an advance mission to Chad and the Central African Republic, in consultation with their Governments, as envisaged in paragraph 88 of his report."

In a letter dated 11 June 2007, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Addis Ababa, Khartoum, Accra, Abidjan and Kinshasa.[439]

LETTER DATED 4 JULY 2006 FROM THE PERMANENT REPRESENTATIVE OF JAPAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL[440]

Decisions

At its 5546th meeting, on 6 October 2006, the Security Council considered the item entitled "Letter dated 4 July 2006 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council (S/2006/481)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[441]

> "The Security Council expresses its deep concern over the statement of 3 October 2006 by the Ministry of Foreign Affairs of the Democratic People's Republic of Korea, in which it stated that the Democratic People's Republic of Korea would conduct a nuclear test in the future.
>
> "The Council reaffirms that the proliferation of weapons of mass destruction and their means of delivery constitutes a threat to international peace and security. The Council deplores the Democratic People's Republic of Korea's announcement of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons (the Treaty)[442] and its stated pursuit of nuclear weapons in spite of its Treaty and International Atomic Energy Agency safeguards obligations. The Council deems that, should the Democratic People's Republic of Korea carry out its threat of a nuclear weapon test, it would jeopardize peace, stability and security in the region and beyond.
>
> "The Council underlines that such a test would bring universal condemnation by the international community and would not help the Democratic People's Republic of Korea to address the stated concerns, particularly with regard to strengthening its security. The Council urges the Democratic People's Republic of Korea not to undertake such a test and to refrain from any action that might aggravate tension, to work on the resolution of non-proliferation concerns and to facilitate a peaceful and comprehensive solution through political and diplomatic efforts. The Council reiterates the need for the Democratic People's Republic of Korea to comply fully with all the provisions of Council resolution 1695 (2006).
>
> "The Council supports the six-party talks and calls for their early resumption with a view to achieving the verifiable denuclearization of the Korean peninsula in a peaceful manner and to maintaining peace and stability on the Korean peninsula and in north-east Asia.

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[439] The letter, which was issued as a Security Council document under the symbol S/2007/347, has been reproduced on page 77 of the present volume.

[440] Resolutions or decisions on this question were also adopted by the Security Council during the period from 1 January to 31 July 2006.

[441] S/PRST/2006/41.

[442] United Nations, *Treaty Series*, vol. 729, No. 10485.

> "The Council urges the Democratic People's Republic of Korea to return immediately to the six-party talks without precondition, and to work towards the expeditious implementation of the joint statement of 19 September 2005, and in particular to abandon all nuclear weapons and existing nuclear programmes.
>
> "The Council will be monitoring this situation closely. The Council stresses that a nuclear test, if carried out by the Democratic People's Republic of Korea, would represent a clear threat to international peace and security and that, should the Democratic People's Republic of Korea ignore calls of the international community, the Council will act consistent with its responsibility under the Charter of the United Nations."

PEACE CONSOLIDATION IN WEST AFRICA

Decisions

At its 5509th meeting, on 9 August 2006, the Security Council decided to invite the representatives of Brazil, Côte d'Ivoire (Minister for Foreign Affairs), Egypt, Finland, Guatemala, Guinea (Secretary-General in the Ministry of State in charge of Foreign Affairs), India, Liberia, the Libyan Arab Jamahiriya, Namibia, the Niger, Nigeria, Norway, Pakistan, the Republic of Korea, Senegal, Sierra Leone and Venezuela (Bolivarian Republic of) to participate, without vote, in the discussion of the item entitled:

"Peace consolidation in West Africa

> "Letter dated 3 August 2006 from the Permanent Representative of Ghana to the United Nations addressed to the Secretary-General (S/2006/610)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ahmedou Ould-Abdallah, Special Representative of the Secretary-General for West Africa.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mohamed Ibn Chambas, Executive Secretary of the Economic Community of West African States.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[443]

> "The Security Council, recalling its relevant resolutions and the statements by its President, stresses the importance of addressing the issue of peace consolidation in West Africa in a comprehensive and coordinated manner. It recognizes the need for such an approach for durable solutions to the conflicts in West Africa and to explore ways and means to promote sustainable peace, security and development.
>
> "The Council welcomes the transition from war to democratic rule in Sierra Leone, Guinea-Bissau and Liberia, as well as current efforts aimed at implementing measures leading to free and fair elections in Côte d'Ivoire. It also notes that the security situation in those countries remains generally stable but fragile.
>
> "The Council stresses the need to build the capacity of national institutions to address the root causes of conflict as an essential part of peace consolidation, especially in the areas of political and economic governance as well as the rule of law and the fight against impunity.

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[443] S/PRST/2006/38.

"The Council recalls the measures it has implemented on the illegal exploitation of natural resources in the region and encourages member States of the Economic Community of West African States to promote transparent and sustainable exploitation of such resources.

"The Council stresses the primary role of each West African Government in peace consolidation for the benefit of all citizens and reiterates the importance of all leaders working together for peace and security in the region.

"The Council considers that illicit trafficking in small arms and light weapons still poses a threat to peace and security in the region. In this connection, it welcomes the decision of member States of the Economic Community of West African States to transform the moratorium on the importation, exportation and manufacture of small arms and light weapons in West Africa into a binding Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials. It further urges all States, both within and outside the region, to ensure compliance with its existing arms embargoes in West Africa, and States within the Economic Community to ratify the Convention as soon as possible to enable it to come into effect promptly.

"The Council considers that civil society, including women's organizations, has a role to play in supporting peace consolidation initiatives in the region and that their efforts in this regard deserve to be supported as appropriate.

"The Council underlines the crucial importance of the disarmament, demobilization and reintegration of ex-combatants, taking into account the special needs of child soldiers and women, and encourages the international community to work in close partnership with the countries concerned. It further affirms the need to find lasting solutions to the problem of youth unemployment in order to prevent the recruitment of such youth by illegal armed groups.

"The Council considers reform of the security sector an essential element for sustainable peace and stability in West Africa and urgently calls upon the donor community and the international financial institutions to coordinate their efforts to support the States concerned.

"The Council stresses the continued need for assisting West African States and the Economic Community of West African States to curb illicit cross-border activities.

"The Council reiterates the importance of finding effective solutions to the problem of refugees and internally displaced persons in the region and urges the States in the region, in collaboration with relevant international organizations and donor countries, to create the necessary conditions for their voluntary and safe return.

"The Council welcomes the positive role played by the international community and civil society in addressing the humanitarian situation in many parts of the region and urges them to provide adequate resources as part of a coordinated humanitarian response strategy to improve the human security of the people of West Africa in need of such protection.

"The Council stresses the need to ensure improved coordination of donor initiatives in order to make the best use of available resources, and encourages donor partners to redeem their pledges in a timely manner.

"The Council further stresses the need for continued and enhanced cooperation between the United Nations, the Economic Community of West African States and the African Union in peace consolidation initiatives, based on an integrated approach and with the aim of maximizing the use of available resources. In this connection, it commends the role of the United Nations Office for West Africa, as well as other United Nations offices, missions and agencies in the region in facilitating, in close cooperation with the Executive Secretariat and member States of the Economic Community, the achievement of peace and security priorities of the region. It further encourages the Special Representative of the Secretary-General for West Africa and the United Nations missions in the region to continue their efforts in coordinating United Nations activities to ensure their improved cohesion and maximum efficiency.

"The Council underscores the importance and the role of the Peacebuilding Commission in assisting countries emerging from conflict to achieve sustainable peace and stability.

"The Council emphasizes the regional dimension of peace and security in West Africa and requests the Secretary-General, in consultation with the Secretariat of the Economic Community of West African States, to submit to it by the end of the year a report with recommendations on the cooperation between the United Nations missions deployed in the region and on the cross-border issues in West Africa."

THE SITUATION IN MYANMAR

Decisions

At its 5526th meeting, on 15 September 2006, the Security Council considered the item entitled:

"The situation in Myanmar

"Letter dated 15 September 2006 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/2006/742)".

Following statements made by three members of the Council, the provisional agenda was adopted by 10 votes in favour, 4 against (China, Congo, Qatar, Russian Federation), and 1 abstention (United Republic of Tanzania).

Upon resumption of the 5526th meeting, held in private on 29 September 2006, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"Upon resumption of the 5526th meeting, held in private on 29 September 2006, the Security Council considered the item entitled 'The situation in Myanmar'.

"The President, with the consent of the Council, invited the representative of Myanmar to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Ibrahim Gambari, Under-Secretary-General for Political Affairs.

"Members of the Council, Mr. Gambari and the representative of Myanmar had an exchange of views."

At its 5619th meeting, on 12 January 2007, the Council decided to invite the representative of Myanmar to participate, without vote, in the discussion of the item entitled "The situation in Myanmar".

NOTE: At the same meeting, the Council voted on a draft resolution sponsored by the United Kingdom of Great Britain and Northern Ireland and the United States of America, as contained in document S/2007/14, and as orally revised. The result of the voting was as follows: 9 votes in favour, 3 against (China, Russian Federation and South Africa) and 3 abstentions (Congo, Indonesia and Qatar). The draft resolution was not adopted, owing to the negative votes of permanent members of the Council.

NON-PROLIFERATION/DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

Decision

At its 5551st meeting, on 14 October 2006, the Security Council decided to invite the representatives of the Democratic People's Republic of Korea and the Republic of Korea to participate, without vote, in the discussion of the item entitled "Non-proliferation/Democratic People's Republic of Korea".

Resolution 1718 (2006)
of 14 October 2006

The Security Council,

Recalling its previous relevant resolutions, including resolutions 825 (1993) of 11 May 1993 1540 (2004) of 28 April 2004 and, in particular, resolution 1695 (2006) of 15 July 2006, as well as the statement by its President of 6 October 2006,[444]

Reaffirming that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security,

Expressing the gravest concern at the claim by the Democratic People's Republic of Korea that it conducted a test of a nuclear weapon on 9 October 2006, and at the challenge such a test constitutes to the Treaty on the Non-Proliferation of Nuclear Weapons[445] and to international efforts aimed at strengthening the global regime of non-proliferation of nuclear weapons, and the danger it poses to peace and stability in the region and beyond,

Expressing its firm conviction that the international regime on the non-proliferation of nuclear weapons should be maintained, and recalling that the Democratic People's Republic of Korea cannot have the status of a nuclear-weapon State in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons,

Deploring the Democratic People's Republic of Korea's announcement of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons and its pursuit of nuclear weapons,

Deploring further that the Democratic People's Republic of Korea has refused to return to the six-party talks without precondition,

Endorsing the joint statement issued on 19 September 2005 by China, the Democratic People's Republic of Korea, Japan, the Republic of Korea, the Russian Federation and the United States of America,

Underlining the importance that the Democratic People's Republic of Korea respond to other security and humanitarian concerns of the international community,

Expressing profound concern that the test claimed by the Democratic People's Republic of Korea has generated increased tension in the region and beyond, and determining, therefore, that there is a clear threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations, and taking measures under Article 41 thereof,

1. *Condemns* the nuclear test proclaimed by the Democratic People's Republic of Korea on 9 October 2006 in flagrant disregard of its relevant resolutions, in particular resolution 1695 (2006), as well as of the statement by its President of 6 October 2006,[444] including that such a test would bring universal condemnation of the international community and would represent a clear threat to international peace and security;

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[444] S/PRST/2006/41.

[445] United Nations, *Treaty Series*, vol. 729, No. 10485.

2. *Demands* that the Democratic People's Republic of Korea not conduct any further nuclear test or launch of a ballistic missile;

3. *Demands also* that the Democratic People's Republic of Korea immediately retract its announcement of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons;[445]

4. *Demands further* that the Democratic People's Republic of Korea return to the Treaty on the Non-Proliferation of Nuclear Weapons and International Atomic Energy Agency safeguards, and underlines the need for all States parties to the Treaty to continue to comply with their Treaty obligations;

5. *Decides* that the Democratic People's Republic of Korea shall suspend all activities related to its ballistic missile programme and in this context re-establish its pre-existing commitments to a moratorium on missile launching;

6. *Decides also* that the Democratic People's Republic of Korea shall abandon all nuclear weapons and existing nuclear programmes in a complete, verifiable and irreversible manner, shall act strictly in accordance with the obligations applicable to parties under the Treaty on the Non-Proliferation of Nuclear Weapons and the terms and conditions of its International Atomic Energy Agency safeguards agreement[446] and shall provide the Agency transparency measures extending beyond these requirements, including such access to individuals, documentation, equipment and facilities as may be required and deemed necessary by the Agency;

7. *Decides further* that the Democratic People's Republic of Korea shall abandon all other existing weapons of mass destruction and ballistic missile programmes in a complete, verifiable and irreversible manner;

8. *Decides* that:

(*a*) All Member States shall prevent the direct or indirect supply, sale or transfer to the Democratic People's Republic of Korea, through their territories or by their nationals, or using their flag vessels or aircraft, and whether or not originating in their territories, of:

(i) Any battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register of Conventional Arms,[447] or related materiel, including spare parts, or items as determined by the Security Council or the Committee established pursuant to paragraph 12 below (the Committee);

(ii) All items, materials, equipment, goods and technology as set out in the lists in documents S/2006/814 and S/2006/815, unless within fourteen days of the adoption of the present resolution the Committee has amended or completed their provisions, also taking into account the list in document S/2006/816, as well as other items, materials, equipment, goods and technology, determined by the Council or the Committee, which could contribute to the Democratic People's Republic of Korea's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes;

(iii) Luxury goods;

(*b*) The Democratic People's Republic of Korea shall cease the export of all items covered in subparagraphs (*a*) (i) and (ii) above and that all Member States shall prohibit the procurement of such items from the Democratic People's Republic of Korea by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of the Democratic People's Republic of Korea;

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[446] Ibid., vol. 1677, No. 28986.

[447] See General Assembly resolution 46/36 L.

(*c*) All Member States shall prevent any transfers to the Democratic People's Republic of Korea by their nationals or from their territories, or from the Democratic People's Republic of Korea by its nationals or from its territory, of technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of the items in subparagraphs (*a*) (i) and (ii) above;

(*d*) All Member States shall, in accordance with their respective legal processes, freeze immediately the funds, other financial assets and economic resources which are on their territories at the date of the adoption of the present resolution or at any time thereafter, that are owned or controlled, directly or indirectly, by the persons or entities designated by the Committee or by the Council as being engaged in or providing support for, including through other illicit means, the Democratic People's Republic of Korea's nuclear-related, other weapons of mass destruction-related and ballistic missile-related programmes, or by persons or entities acting on their behalf or at their direction, and ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any persons or entities within their territories, to or for the benefit of such persons or entities;

(*e*) All Member States shall take the necessary steps to prevent the entry into or transit through their territories of the persons designated by the Committee or by the Council as being responsible for, including by supporting or promoting, policies of the Democratic People's Republic of Korea in relation to the Democratic People's Republic of Korea's nuclear-related, ballistic missile-related and other weapons of mass destruction-related programmes, together with their family members, provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory;

(*f*) In order to ensure compliance with the requirements of this paragraph, and thereby preventing illicit trafficking in nuclear, chemical or biological weapons, their means of delivery and related materials, all Member States are called upon to take, in accordance with their national authorities and legislation, and consistent with international law, cooperative action, including through inspection of cargo to and from the Democratic People's Republic of Korea, as necessary;

9. *Decides also* that the provisions of paragraph 8 (*d*) above do not apply to financial or other assets or resources that have been determined by relevant States:

(*a*) To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within five working days of such notification;

(*b*) To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee; or

(*c*) To be the subject of a judicial, administrative or arbitral lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement, provided that the lien or judgement was entered prior to the date of the present resolution, is not for the benefit of a person referred to in paragraph 8 (*d*) above or an individual or entity identified by the Council or the Committee, and has been notified by the relevant States to the Committee;

10. *Decides further* that the measures imposed by paragraph 8 (*e*) above shall not apply where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of the present resolution;

11. *Calls upon* all Member States to report to the Council within thirty days of the adoption of the present resolution on the steps they have taken with a view to implementing effectively the provisions of paragraph 8 above;

12. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks:

(*a*) To seek from all States, in particular those producing or possessing the items, materials, equipment, goods and technology referred to in paragraph 8 (*a*) above, information regarding the actions taken by them to implement effectively the measures imposed by paragraph 8 above and whatever further information it may consider useful in this regard;

(*b*) To examine and take appropriate action on information regarding alleged violations of measures imposed by paragraph 8 above;

(*c*) To consider and decide upon requests for exemptions set out in paragraphs 9 and 10 above;

(*d*) To determine additional items, materials, equipment, goods and technology to be specified for the purpose of paragraphs 8 (*a*) (i) and (ii) above;

(*e*) To designate additional individuals and entities subject to the measures imposed by paragraphs 8 (*d*) and (*e*) above;

(*f*) To promulgate guidelines as may be necessary to facilitate the implementation of the measures imposed by the present resolution;

(*g*) To report at least every ninety days to the Council on its work, with its observations and recommendations, in particular on ways to strengthen the effectiveness of the measures imposed by paragraph 8 above;

13. *Welcomes and encourages further* the efforts by all States concerned to intensify their diplomatic efforts, to refrain from any actions that might aggravate tension and to facilitate the early resumption of the six-party talks, with a view to the expeditious implementation of the joint statement issued on 19 September 2005 by China, the Democratic People's Republic of Korea, Japan, the Republic of Korea, the Russian Federation and the United States of America, to achieve the verifiable denuclearization of the Korean peninsula and to maintain peace and stability on the Korean peninsula and in north-east Asia;

14. *Calls upon* the Democratic People's Republic of Korea to return immediately to the six-party talks without precondition and to work towards the expeditious implementation of the joint statement issued on 19 September 2005 by China, the Democratic People's Republic of Korea, Japan, the Republic of Korea, the Russian Federation and the United States of America;

15. *Affirms* that it shall keep the actions of the Democratic People's Republic of Korea under continuous review and that it shall be prepared to review the appropriateness of the measures contained in paragraph 8 above, including the strengthening, modification, suspension or lifting of the measures, as may be needed at that time in the light of the Democratic People's Republic of Korea's compliance with the provisions of the resolution;

16. *Underlines* that further decisions will be required, should additional measures be necessary;

17. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5551st meeting.

Decision

At its 5618th meeting, on 11 January 2007, the Security Council considered the item entitled "Non-proliferation/Democratic People's Republic of Korea".

LETTER DATED 22 NOVEMBER 2006 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Decisions

At its 5576th meeting, on 1 December 2006, the Security Council decided to invite the representative of Nepal to participate, without vote, in the discussion of the item entitled "Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[448]

> "The Security Council warmly welcomes the signing on 21 November 2006 by the Government of Nepal and the Communist Party of Nepal (Maoist) of a Comprehensive Peace Agreement, and the stated commitment of both parties to transforming the existing ceasefire into a permanent peace.
>
> "The Council notes the request of the parties for United Nations assistance in implementing key aspects of the Agreement, in particular monitoring of arrangements relating to the management of arms and armed personnel of both sides and election monitoring. The Council agrees that the United Nations should respond positively and expeditiously to this request for assistance.
>
> "The Council welcomes and expresses support for the intention of the Secretary-General to send a technical assessment mission to Nepal with a view to proposing, following close consultations with the parties, a fully developed concept of United Nations operations, including a United Nations political mission to deliver the assistance requested, and to dispatch an advance deployment of essential personnel of up to 35 monitors and 25 electoral personnel.
>
> "The Council stands ready to consider the formal proposals of the Secretary-General as soon as the technical assessment is complete."

At its 5622nd meeting, on 23 January 2007, the Council decided to invite the representative of Nepal to participate, without vote, in the discussion of the item entitled:

> "Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)
>
> > "Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2007/7)".

Resolution 1740 (2007)
of 23 January 2007

The Security Council,

Welcoming the signing on 21 November 2006 by the Government of Nepal and the Communist Party of Nepal (Maoist) of a Comprehensive Peace Agreement, and the stated commitment of both parties to transforming the existing ceasefire into a permanent and sustainable peace, and commending the steps taken to date to implement the Agreement,

Taking note of the request of the parties for United Nations assistance in implementing key aspects of the Agreement, in particular monitoring of arrangements relating to the management of arms and armed personnel of both sides and election monitoring,

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[448] S/PRST/2006/49.

Recalling the letter dated 22 November 2006 from the Secretary-General to the President of the Security Council[449] and the statement by the President of 1 December 2006,[448] and welcoming progress made in dispatching an advance deployment of monitors and electoral personnel to Nepal,

Recognizing the strong desire of the Nepalese people for peace and the restoration of democracy and the importance in this respect of the implementation of the Comprehensive Peace Agreement, and encouraging the parties to maintain that momentum,

Recognizing also the need to pay special attention to the needs of women, children and traditionally marginalized groups in the peace process, as mentioned in the Comprehensive Peace Agreement,

Welcoming the report of the Secretary-General of 9 January 2007,[450] and having considered the recommendations contained therein, which are based on the request of the signatories to the Comprehensive Peace Agreement and the findings of the technical assessment mission,

Expressing its readiness to support the peace process in Nepal in the timely and effective implementation of the Comprehensive Peace Agreement,

Reaffirming the sovereignty, territorial integrity and political independence of Nepal and its ownership of the implementation of the Comprehensive Peace Agreement,

Expressing appreciation for the efforts of the Secretary-General and his Personal Representative in Nepal, the United Nations country team, including the Office of the United Nations High Commissioner for Human Rights, and other United Nations representatives in Nepal,

1. *Decides* to establish a United Nations political mission in Nepal, the United Nations Mission in Nepal, under the leadership of a Special Representative of the Secretary-General and with the following mandate based on the recommendations of the Secretary-General contained in his report:[450]

(*a*) To monitor the management of arms and armed personnel of both sides, in line with the provisions of the Comprehensive Peace Agreement;

(*b*) To assist the parties, through a Joint Monitoring Coordinating Committee, in implementing their agreement on the management of arms and armed personnel of both sides, as provided for in that agreement;

(*c*) To assist in the monitoring of the ceasefire arrangements;

(*d*) To provide technical support for the planning, preparation and conduct of the election of a Constituent Assembly in a free and fair atmosphere, in consultation with the parties;

(*e*) To provide a small team of electoral monitors to review all technical aspects of the electoral process, and report on the conduct of the election;

2. *Decides also* that the mandate of the Mission, in view of the particular circumstances, shall be for a period of twelve months from the date of the present resolution, and expresses its intention to terminate or further extend that mandate upon the request of the Government of Nepal, taking into consideration the expectation of the Secretary-General that the Mission will be a focused mission of limited duration;

3. *Welcomes* the proposal of the Secretary-General that his Special Representative would coordinate the United Nations effort in Nepal in support of the peace process, in close consultation with the relevant parties in Nepal and in close cooperation with other international actors;

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[449] S/2006/920.

[450] S/2007/7.

4. *Requests* the Secretary-General to keep the Security Council regularly informed of progress in implementing the present resolution;

5. *Requests* the parties in Nepal to take the necessary steps to promote the safety, security and freedom of movement of Mission and associated personnel in executing the tasks defined in the mandate;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 5622nd meeting.

Decision

On 7 February 2007, the President of the Security Council addressed the following letter to the Secretary-General:[451]

> "I have the honour to inform you that your letter dated 2 February 2007 concerning your intention to appoint Mr. Ian Martin, of the United Kingdom of Great Britain and Northern Ireland, as your Special Representative in Nepal and Head of the United Nations Mission in Nepal[452] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY: ROLE OF THE SECURITY COUNCIL IN SUPPORTING SECURITY SECTOR REFORM

Decisions

At its 5632nd meeting, on 20 February 2007, the Security Council decided to invite the representatives of Afghanistan, Argentina, Australia, Canada, Cuba, Egypt, Germany, Guatemala, Honduras, Japan, the Netherlands, Norway, the Republic of Korea, the Sudan, Switzerland and Uruguay to participate, without vote, in the discussion of the item entitled:

> "Maintenance of international peace and security: role of the Security Council in supporting security sector reform
>
> > "Letter dated 8 February 2007 from the Permanent Representative of Slovakia to the United Nations addressed to the Secretary-General (S/2007/72)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Sheikha Haya Rashed Al-Khalifa, President of the General Assembly, Mr. Dalius Čekuolis, President of the Economic and Social Council, and Mr. Ismael Abraão Gaspar Martins, Chairman of the Organizational Committee of the Peacebuilding Commission.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[453]

> "The Security Council recalls the statement by its President of 12 July 2005,[454] in which it emphasizes that security sector reform is an essential element of any stabilization and reconstruction process in post-conflict environments.

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[451] S/2007/62.

[452] S/2007/61.

[453] S/PRST/2007/3.

[454] S/PRST/2005/30.

"The Council stresses that reforming the security sector in post-conflict environments is critical to the consolidation of peace and stability, promoting poverty reduction, the rule of law and good governance, extending legitimate State authority, and preventing countries from relapsing into conflict. In that regard, a professional, effective and accountable security sector, and accessible and impartial law-enforcement and justice sectors are equally necessary to laying the foundations for peace and sustainable development.

"The Council underlines that it is the sovereign right and the primary responsibility of the country concerned to determine the national approach and priorities of security sector reform. It should be a nationally owned process that is rooted in the particular needs and conditions of the country in question. The Council acknowledges that strong support and assistance of the international community are important to build national capacities, thereby reinforcing national ownership, which is crucial for the sustainability of the whole process. The Council also underlines that the United Nations has a crucial role to play in promoting comprehensive, coherent and coordinated international support to nationally owned security sector reform programmes, implemented with the consent of the country concerned.

"The Council notes that the United Nations system has made significant contributions to the re-establishment of functioning security sectors in post-conflict environments, and that an increasing number of United Nations organs, funds, programmes and agencies are engaged in one aspect or another of security sector reform support activities.

"The Council acknowledges the contribution that non-United Nations actors, in particular regional, subregional and other intergovernmental organizations, including international financial institutions, and bilateral donors as well as non-governmental organizations, can bring in supporting nationally led security sector reform programmes.

"The Council recognizes the need, when mandating a United Nations operation, to consider, as appropriate, and taking into account the concerns of the Member State and other relevant actors, the national security sector reform priorities, while laying the foundation for peace consolidation, which could, inter alia, subsequently enable timely withdrawal of international peacekeepers. The Council notes the importance of close interaction among different United Nations system entities, and other relevant actors, in order to ensure that security sector reform considerations are adequately covered during the implementation of Council mandates.

"The Council underlines that security sector reform can be a long-term process that continues well beyond the duration of a peacekeeping operation. In that regard, the Council emphasizes the important role that the Peacebuilding Commission can play in ensuring continuous international support to countries emerging from conflict. The Council takes note of the work already carried out by the Commission concerning Burundi and Sierra Leone and requests it to continue advising the Council on the issue of security sector reform within the framework of its activities related to those countries. The Council requests the Commission to include consideration of security sector reform programmes in designing integrated peacebuilding strategies for its continued engagement with those countries, with a view to developing best practices regarding comprehensive, coherent and nationally owned security sector reform programmes.

"The Council emphasizes that security sector reform must be context-driven and that the needs will vary from situation to situation. The Council encourages States to formulate their security sector reform programmes in a holistic way that encompasses strategic planning, institutional structures, resource management, operational capacity, civilian oversight and good governance. The Council emphasizes the need for a balanced realization of all aspects of security sector reform, including institutional capacity, affordability, and sustainability of its programmes. The Council recognizes the interlinkages between security sector reform and other important factors of stabilization and reconstruction, such as transitional justice, disarmament, demobilization, repatriation, reintegration and rehabilitation of former combatants, small arms and light weapons control, as well as gender equality, children and armed conflict and human rights issues.

"In the light of the above, the Council acknowledges the need for a comprehensive report of the Secretary-General on United Nations approaches to security sector reform, to foster its implementation in post-conflict environments, and expresses its readiness to consider such a report within the scope of its prerogatives under the Charter of the United Nations. The report should identify lessons learned, core security sector reform functions that the United Nations system can perform, roles and responsibilities of United Nations system entities, and how best to coordinate United Nations support for security sector reform with national and international activities in this field, as well as interaction with regional and subregional actors.

"The Council expects the report of the Secretary-General to make concrete recommendations on the identification, prioritization and sequencing of United Nations support to nationally owned security sector reform, with particular emphasis on post-conflict environments. This should include recommendations on how to improve the effectiveness and coordination of all United Nations system entities that support security sector reform.

"The Council invites the Secretary-General to continue to include, in his periodic reports to the Council on specific United Nations operations mandated by the Council, whenever appropriate, recommendations related to security sector reform programmes in the countries concerned.

"The Council welcomes the joint initiative of Slovakia and South Africa to further discuss this issue with a focus on experiences and challenges of security sector reform in Africa at a workshop to be held in the course of 2007."

RELATIONSHIP BETWEEN THE UNITED NATIONS AND REGIONAL ORGANIZATIONS, IN PARTICULAR THE AFRICAN UNION, IN THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

Decisions

At its 5649th meeting, on 28 March 2007, the Security Council decided to invite the representatives of Algeria, Australia, Benin, Burkina Faso, Egypt, Germany, Japan, Liberia, the Libyan Arab Jamahiriya, Namibia, Norway, Rwanda, the Sudan, Uganda, the United Republic of Tanzania, Uruguay and Viet Nam to participate, without vote, in the discussion of the item entitled "Relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Said Djinnit, Commissioner for Peace and Security of the African Union, Mr. Yahya Mahmassani, Permanent Observer for the League of Arab States to the United Nations, and Mr. Abdul Wahab, Permanent Observer for the Organization of the Islamic Conference to the United Nations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[455]

"The Security Council reaffirms its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations.

"The Council recognizes the important role of regional organizations in the prevention, management and resolution of conflicts in accordance with Chapter VIII of the Charter as well as its relevant resolutions and statements by its President, in particular resolutions 1625 (2005) and 1631 (2005) and the statement of 20 September 2006.[456] In this respect, the Council recalls that cooperation between the United Nations and the regional arrangements in matters relating to the maintenance of peace and security, as are appropriate for regional action, is an integral part of collective security as provided for in the Charter.

"The Council recalls the relevant paragraphs of the 2005 World Summit Outcome,[457] in particular the support expressed for the development and implementation of a 10-year capacity-building plan to enhance Africa's peacekeeping capacity, and welcomes the signing on 16 November 2006 by the Secretary-General and the Chairperson of the African Union Commission of the declaration on enhancing United Nations-African Union cooperation in the field of peace and security.[458]

"The Council also recalls the statements made by its President in Nairobi on 19 November 2004[459] and in New York on 20 September 2006, in which it expressed its intention to consider further steps to promote closer and more operational cooperation between the United Nations and regional, subregional and other intergovernmental organizations in the field of conflict prevention, peacebuilding and peacekeeping and acknowledges the important role played by them in the brokering of peace agreements in conflict situations. The Council also welcomes recent developments with regard to the cooperation between the United Nations, the African Union and the European Union.

"The Council welcomes the growing contribution being made by the African Union and the resolve of its leaders to address and solve the conflicts on the African continent; the Council stresses, in accordance with Article 54 of the Charter, the need for the African Union to keep the Council fully informed of these efforts at all times in a comprehensive and coordinated manner.

"The Council recognizes that regional organizations are well positioned to understand the root causes of many conflicts closer to home and to influence prevention or resolution, owing to their knowledge of the region.

"The Council urges the Secretary-General, in consultation and in cooperation with the relevant regional and subregional bodies, to resolve regional conflicts in Africa by using existing United Nations capacities as effectively as possible; to support regional early warning and mediation, in particular in Africa; to assess the risk of conflict at the regional level and prioritize those areas of highest risk; and to highlight possible methods at the regional level in combating the illegal exploitation of and trafficking in natural resources.

"The Council stresses that common and co-coordinated efforts undertaken by the United Nations and regional organizations in matters of peace and security should be based on their complementary capacities and comparative advantages, making full use of their experience, in accordance with the Charter and the relevant statutes of the regional organizations. In this regard the Council recognizes the need to build capacities with regional organizations so as to improve our collective effectiveness in the maintenance of international peace and security. The Council recognizes the Peacebuilding Commission as a forum for coordination between the United Nations system and regional and subregional organizations.

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[455] S/PRST/2007/7.

[456] S/PRST/2006/39.

[457] See General Assembly resolution 60/1.

[458] A/61/630, annex.

[459] S/PRST/2004/44.

"The Security Council invites further collaboration with the Peace and Security Council of the African Union in order to help to build the latter's capacity to undertake, inter alia, rapid and appropriate responses to emerging situations and to develop effective strategies for conflict prevention, peacekeeping and peacebuilding. The Security Council recognizes that in some cases, the African Union may be authorized by the Council to deal with collective security challenges on the African continent. In this connection, the Council encourages increased exchange of information and sharing of experience, best practices and lessons learned between the Council and the African Union as well as other relevant regional organizations.

"Emphasizing the primacy of the Council in the maintenance of international peace and security, the Council stresses the importance of supporting and improving in a sustained way the resource base and capacity of the African Union. In this regard the Council requests the Secretary-General to provide a report, in consultation with the relevant regional organizations, in particular the African Union, on specific proposals on how the United Nations can better support arrangements for further cooperation and coordination with regional organizations on Chapter VIII arrangements in order to contribute significantly to the common security challenges in the areas of concern and to promote the deepening and broadening of dialogue and cooperation between the Security Council and the Peace and Security Council of the African Union."

In a letter dated 11 June 2007, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Addis Ababa, Khartoum, Accra, Abidjan and Kinshasa.[460]

LETTER DATED 5 APRIL 2007 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Decision

At its 5663rd meeting, on 17 April 2007, the Security Council decided to invite the representatives of Argentina, Australia, Bangladesh, Barbados, Bolivia, Brazil, Canada, Cape Verde, the Comoros, Costa Rica, Cuba, Denmark, Egypt, Germany (Federal Minister for Economic Cooperation and Development), Iceland, India, Israel, Japan, Liechtenstein, Maldives (Minister of State for Foreign Affairs), the Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Namibia, the Netherlands (Minister for Development Cooperation), New Zealand, Norway, Pakistan, Palau, Papua New Guinea, the Philippines, the Republic of Korea, Singapore, Solomon Islands, the Sudan, Switzerland, Tuvalu, Ukraine and Venezuela (Bolivarian Republic of) to participate, without vote, in the discussion of the item entitled "Letter dated 5 April 2007 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/2007/186)".

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[460] The letter, which was issued as a Security Council document under the symbol S/2007/347, has been reproduced on page 77 of the present volume.

UNITED NATIONS REGIONAL CENTRE FOR PREVENTIVE DIPLOMACY

Decision

In a letter dated 15 May 2007,[461] the President of the Security Council informed the Secretary-General that his letter dated 7 May 2007[462] had been brought to the attention of the members of the Council and that they took note of the information and the intention expressed therein.

HUMANITARIAN SITUATION IN THE GREAT LAKES REGION AND THE HORN OF AFRICA

Decisions

At its 5677th meeting, on 21 May 2007, the Security Council considered the item entitled "Humanitarian situation in the Great Lakes region and the Horn of Africa".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

Decisions

At its 5705th meeting, on 25 June 2007, the Security Council decided to invite the representatives of Argentina, Benin, Botswana, Brazil, Canada, the Democratic Republic of the Congo, Egypt, Germany, Iceland, India, Japan, Liechtenstein, Norway, Pakistan, Senegal, Switzerland and Tunisia to participate, without vote, in the discussion of the item entitled:

> "Maintenance of international peace and security
>
>> "Letter dated 6 June 2007 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General on natural resources and conflict (S/2007/334)".[463]

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Sheikha Haya Rashed Al-Khalifa, President of the General Assembly, and Mr. Dalius Čekuolis, President of the Economic and Social Council.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[464]

> "The Security Council recalls the principles of the Charter of the United Nations and in particular the primary responsibility of the Council for the maintenance of international

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[461] The letter, which was issued as a Security Council document under the symbol S/2007/280, has been reproduced on page 106 of the present volume.

[462] S/2007/279.

[463] Angola submitted a request to be invited to participate, which it subsequently withdrew.

[464] S/PRST/2007/22.

peace and security. In this respect, the Council recognizes the role that natural resources can play in armed conflict and post-conflict situations.

"The Council reaffirms that every State has the full and inherent sovereign right to control and exploit its own natural resources in accordance with the Charter and the principles of international law.

"The Council stresses that natural resources are a crucial factor in contributing to long-term economic growth and sustainable development.

"The Council recalls resolution 1625 (2005), whereby it adopted the declaration on strengthening the effectiveness of the role of the Council in conflict prevention, particularly in Africa, in which it reaffirmed its determination to take action against illegal exploitation of and trafficking in natural resources and high-value commodities in areas where it contributes to the outbreak, escalation or continuation of armed conflict.

"Moreover, the Council notes that, in specific armed conflict situations, the exploitation of and trafficking and illicit trade in natural resources have played a role in areas where they have contributed to the outbreak, escalation or continuation of armed conflict. The Council, through its various resolutions, has taken measures on this issue, more specifically to prevent illegal exploitation of natural resources, especially diamonds and timber, from fuelling armed conflicts and to encourage transparent and lawful management of natural resources, including the clarification of the responsibility of management of natural resources, and has established sanctions committees and groups and panels of experts to oversee the implementation of those measures.

"The Council emphasizes the importance of improving the work of and strengthening the contributions made by existing sanctions committees and the various groups and panels of experts established by the Council in dealing with the impact of illegal exploitation of natural resources on conflicts in the countries under its consideration. The Council also recalls the work done by the Informal Working Group of the Council on General Issues of Sanctions (2006) and refers in this regard to its report.[465]

"The Council recognizes that United Nations missions and peacekeeping operations deployed in resource-endowed countries experiencing armed conflict could play a role in helping the Governments concerned, with full respect of their sovereignty over their natural resources, to prevent the illegal exploitation of those resources from further fuelling the conflict. The Council underlines the importance of taking this dimension of conflict into account, where appropriate, in the mandates of United Nations and regional peacekeeping operations, within their capabilities, including by making provision for assisting Governments, upon their request, in preventing the illegal exploitation of natural resources by the parties to the conflict, in particular, where appropriate, by developing adequate observation and policing capacities to that end.

"The Council recognizes, in conflict and post-conflict situations, the importance of cooperation, in shared responsibility, among source, transit and destination countries in preventing and combating trafficking and illicit trade in and illegal exploitation of natural resources. The Council also emphasizes the important contribution of commodity monitoring and certification schemes such as the Kimberley Process.

"The Council acknowledges the crucial role that the Peacebuilding Commission, together with other United Nations and non-United Nations actors, can play, in post-conflict situations, in assisting Governments, upon their request, in ensuring that natural resources become an engine for sustainable development. In this regard, the Council recognizes the role of voluntary initiatives aimed at improving revenue transparency, such as the Extractive

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[465] See S/2006/997. The document has been reproduced on page 295 of the present volume.

Industries Transparency Initiative. The Council also stresses that the use, disposal and management of natural resources is a multi-faceted and cross-sectoral issue that involves various United Nations organizations. In this regard, the Council acknowledges the valuable contribution of various United Nations organizations in promoting lawful, transparent and sustainable management and exploitation of natural resources.

"The Council recognizes the need for the private sector to contribute to the good governance and avoidance of illegal exploitation of natural resources in countries in conflict. In this regard, the Council also notes the important contribution that voluntary principles and standards play in encouraging multinational enterprises to adopt responsible business conduct, such as provided for in the Guidelines for Multinational Enterprises and the Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones of the Organization for Economic Cooperation and Development, and the United Nations Global Compact.

"The Council stresses the important role, in the context of security sector reform in post-conflict environments, of transparent and effective national security and customs structures for the effective control and management of natural resources by preventing the illegal access to and the trade in and exploitation of those resources.

"The Council emphasizes that, in countries emerging from conflict, lawful, transparent and sustainable management – at the local, national and international levels – and exploitation of natural resources is a critical factor in maintaining stability and in preventing a relapse into conflict. The Council recalls in this respect that it has welcomed country-specific initiatives such as the Governance and Economic Assistance Management Program in Liberia[466] and related efforts such as the Liberia Forest Initiative.

"The Council reiterates the important role of regional organizations in the prevention, management and resolution of conflicts in accordance with Chapter VIII of the Charter as well as its relevant resolutions 1625 (2005) and 1631 (2005) and the statements by its President of 20 September 2006[467] and 28 March 2007.[468] In this regard, the Council recognizes, in armed conflict and post-conflict situations, the need for a more coordinated approach by the United Nations, regional organizations and Governments concerned, in particular the empowerment of Governments in post-conflict situations to better manage their resources."

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[466] See resolution 1626 (2005).

[467] S/PRST/2006/39.

[468] S/PRST/2007/7.

Part II. Other matters considered by the Security Council

RECOMMENDATION FOR THE APPOINTMENT OF THE SECRETARY-GENERAL OF THE UNITED NATIONS[469]

Decision

At its 5547th meeting, held in private on 9 October 2006, the Security Council considered the question of the recommendation for the appointment of the Secretary-General of the United Nations.

Resolution 1715 (2006)
of 9 October 2006

The Security Council,

Having considered the question of the recommendation for the appointment of the Secretary-General of the United Nations,

Recommends to the General Assembly that Mr. Ban Ki-moon be appointed Secretary-General of the United Nations for a term of office from 1 January 2007 to 31 December 2011.

Adopted by acclamation at the 5547th (closed) meeting.

CONSIDERATION OF THE DRAFT REPORT OF THE SECURITY COUNCIL TO THE GENERAL ASSEMBLY

Decision

At its 5578th meeting, on 6 December 2006, the Security Council considered the item entitled "Consideration of the draft report of the Security Council to the General Assembly".

The decision of the Council was reflected in the following note by the President:[470]

> "At its 5578th meeting, on 6 December 2006, the Security Council considered its draft report to the General Assembly covering the period from 1 August 2005 to 31 July 2006. The Council adopted the draft report without a vote."

TRIBUTE TO THE OUTGOING SECRETARY-GENERAL

Decision

At its 5607th meeting, on 22 December 2006, the Security Council considered the item entitled "Tribute to the outgoing Secretary-General".

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[469] Resolutions or decisions on this question were also adopted by the Security Council in 1946, 1950, 1953, 1957, 1962, 1966, 1971, 1976, 1981, 1986, 1991, 1996 and 2001.

[470] S/2006/942.

Resolution 1733 (2006)
of 22 December 2006

The Security Council,

Recognizing the central role that Secretary-General Kofi Annan has played in guiding the Organization in the discharge of his responsibilities under the Charter of the United Nations,

Further recognizing his sustained efforts towards finding just and lasting solutions to various disputes and conflicts around the globe,

Commending the reforms that he has initiated and the many proposals that he has made on the restructuring and strengthening of the role and functioning of the United Nations system,

1. *Acknowledges* the contribution of Secretary-General Kofi Annan to international peace, security and development, his exceptional efforts to solve international problems in economic, social and cultural fields, as well as his endeavours to meet humanitarian needs and to promote and encourage respect for human rights and fundamental freedoms for all;

2. *Expresses its deep appreciation* to Secretary-General Kofi Annan for his dedication to the purposes and principles enshrined in the Charter of the United Nations and to the development of friendly relations among nations.

Adopted by acclamation at the 5607th meeting.

SECURITY COUNCIL WORKING METHODS AND PROCEDURE

Decisions

On 20 October 2006, the President of the Security Council issued the following note:[471]

"Following consultations among the members of the Security Council, the members agreed to elect the Chairman and Vice-Chairmen of the following committee for the period ending 31 December 2006:

Security Council Committee established pursuant to resolution 1718 (2006) concerning the Democratic People's Republic of Korea

Chairman: Peter Burian (Slovakia)

Vice-Chairmen: Argentina and Qatar"

On 26 October 2006, the President of the Security Council issued the following note:[472]

"Following consultations among the members of the Security Council, the members agreed to elect the Chairman of the following committee for the period ending 31 December 2006:

Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Jorge Voto-Bernales (Peru)

Japan will continue to serve as Vice-Chairman for the said period."

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[471] S/2006/833.

[472] S/2006/846.

On 21 November 2006, the President of the Security Council addressed the following letter to the Secretary-General:[473]

"On 7 February 2006, the Security Council issued a descriptive index to notes and statements by the President of the Security Council relating to documentation and procedure (June 1993 to December 2005). The index had been prepared for the purpose of providing greater ease of reference to this material for all States Members of the United Nations and was circulated as the annex to a document of the Council.[474]

"Since the Security Council, through the work carried out in the Informal Working Group on Documentation and Other Procedural Questions, subsequently produced a note by the President of the Security Council dated 19 July 2006[475] enriching and further developing the content of the document of 7 February 2006,[474] members of the Council hereby request the Secretariat to provide an updated version of the index. The members of the Council consider that the issuance of such an index would benefit new members of the Council and facilitate the participation of all States Members of the United Nations in the work of the Council."

On 22 December 2006, the President of the Security Council issued the following note:[476]

"I have the honour to transmit herewith a letter dated 18 December 2006 from the Chairman of the Informal Working Group of the Security Council on General Issues of Sanctions addressed to the President of the Security Council, enclosing the report of the Informal Working Group (see annex).

"Annex

"Letter dated 18 December 2006 from the Chairman of the Informal Working Group of the Security Council on General Issues of Sanctions addressed to the President of the Security Council

"I have the honour to transmit herewith the report of the Informal Working Group of the Security Council on General Issues of Sanctions, which represents a year-long effort of the members, pursuant to their mandate 'to develop general recommendations on how to improve the effectiveness of United Nations sanctions'.[477]

"I would appreciate it if the present letter and its annex were brought to the attention of the members of the Security Council and issued as a document of the Council.

"Report of the Informal Working Group of the Security Council on General Issues of Sanctions

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[473] S/2006/928.

[474] S/2006/78.

[475] S/2006/507.

[476] S/2006/997.

[477] See S/2005/841.

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"I. Introduction

"1. The members of the Informal Working Group of the Security Council on General Issues of Sanctions held seven informal consultations pertaining to its mandate 'to develop general recommendations on how to improve the effectiveness of United Nations sanctions',[477] and approved the following best practices with respect to sanctions design, implementation, evaluation and follow-up, monitoring and enforcement, committee working methods, and methodological standards and reporting format for expert groups.

"II. Sanctions design, implementation, evaluation and follow-up

"2. For targeted sanctions to be effective, appropriate action must be taken at all decision-making levels: the Security Council, the sanctions committee, Member States and their administrative agencies. Proper design, implementation, ongoing evaluation and follow-up of sanctions regimes are key elements that contribute to the effectiveness of sanctions.

"A. Design

"3. Pre-assessment or early assessment and standard language and terminology are essential ingredients for effective sanctions design, including accurate targeting. The Security Council should:

"(*a*) In drafting resolutions, give due consideration to the feasibility of targeted sanctions and their implications, as well as the most appropriate mix of targeted measures. If it is feasible and appropriate to prepare pre-assessment or early assessment reports, they should be clear regarding the behaviour the Council is seeking to change, the identity of the responsible actors/entities, the means available to the target to take evasive action, and the possible humanitarian, political and economic impacts;

"(*b*) Utilize standard language and terminology and consider the following elements in its sanctions resolutions:

"(i) To the extent possible, and as deemed feasible and appropriate, define in general language dual-use items that are intended by the Council to be included under the arms embargo;

"(ii) Clearly define the scope of the sanctions, as well as the conditions and criteria for their easing or lifting;

"(iii) Standardize humanitarian and other exemptions to all targeted measures, including arms embargoes, travel restrictions, aviation bans and financial sanctions;

"(iv) Provide for a credible mechanism to monitor the sanctions regime, and ensure that full account is taken of logistical and budgetary support needed by expert groups to fulfil their mandates, including the provision of an adequate time period for inquiry and reporting. Failure to anticipate, budget and supply adequate support, financial and otherwise, to expert groups can result in costly delays in their field inquiries, in incomplete inquiries and in unduly long gaps between mandates;

"(v) Encourage committees to draw up guidelines to ensure that the selection of individuals and entities for listing is based on fair and clear procedures;

"(vi) Encourage committees to conduct regular reviews of names on the list, to ensure, to the degree possible, maximum specificity in identifying individuals and entities to be targeted, and to adopt guidelines based on fair and clear procedures for de-listing early in a sanctions regime;

"(vii) Urge donors, including States and international and regional organizations with the capacity to do so, to offer appropriate technical and financial assistance to States that need such assistance.

"B. Implementation

"4. Throughout a sanctions regime, the relevant committee should encourage Member States to identify/establish national coordination mechanisms to improve implementation of the sanctions regime by:

"(*a*) Maintaining commitment and ensuring national coordination:

"(i) Inform and periodically remind Member States of the purpose of the sanctions and of their duties under the relevant resolution;

"(ii) Extend public recognition to Member States that complete their reporting and implementation measures fully and in due time;

"(iii) Encourage Member States to establish effective interdepartmental coordination between relevant agencies and to identify central contact points for the transmission of information about the implementation of targeted sanctions;

"(iv) Encourage Member States to cooperate through regional organizations to identify best practices, cooperate with expert panels and sanctions committees and report violations;

"(*b*) Assisting in building national capacity:

"(i) Ensure that a lack of capacity to implement sanctions effectively is specifically addressed by States lacking such capacity in their reports to committees;

"(ii) Invite States to seek technical assistance if they lack the capacity to implement sanctions effectively;

"(iii) Determine best practices for capacity-building and disseminate them to Member States;

"(iv) Seek resources for the Secretariat to establish a database of available technical assistance for capacity-building;

"(v) Encourage donors to bear in mind that any downward adjustment in the level of aid and assistance to populations in targeted States, particularly in cases where certain economic sectors (such as timber or diamonds) are targeted, could affect how the population in the targeted State perceives the aim of sanctions.

"Strengthening Secretariat capacity

"5. It is recommended that the Security Council take note of the informal background non-paper prepared by the Security Council Subsidiary Organs Branch stating that the proliferation of expert groups has strained its ability to provide needed substantive, administrative, logistical and analytical support. The Council should request the Secretary-General to explore ways to ensure that the Secretariat is adequately staffed to fulfil effectively its mandated tasks. This could be accomplished by retaining the current structure of ad hoc expert groups and reallocating Secretariat resources to the Subsidiary Organs Branch so that it can adequately provide support to expert groups.

"6. The Council should request the Secretary-General to explore ways to provide the Secretariat with the necessary resources for maintaining an information management system for the storage, retrieval and sharing of information among expert groups. Such an information management system should use and integrate to the fullest extent possible design elements that are already in use in the database of the Al-Qaida and Taliban sanctions committee.

"C. Evaluation and follow-up

"7. It is recommended that the Security Council:

"(*a*) Conduct periodic review and evaluation of sanctions regimes, their political impact and their unintended effects on civilian populations, bearing in mind State obligations according to international law, and make adjustments, as appropriate;

"(*b*) Devise a communications strategy (targeted sanctions must be clearly described and understood as measures to maintain international peace and security, not as a punitive measure) and maintain continuous public information efforts oriented towards civilian populations in the target State and in neighbouring States on the rationale of sanctions in order to encourage compliance.

"III. Monitoring and enforcement

"8. One of the significant innovations in the work of the Security Council in recent years is the creation of independent expert groups to monitor the implementation of sanctions. Monitoring arrangements are in place for most of the active sanctions regimes, including Al-Qaida/Taliban, Côte d'Ivoire, the Democratic Republic of the Congo, Liberia, Somalia and the Sudan. These groups have made a valuable contribution to the effort to detect and correct violations and to the overall goal of enhancing compliance.

"A. Working methods of expert groups

"9. The working methods of expert groups have developed through a system of trial and error. Any perception of less than rigorous standards in the conduct of any aspect of their work can call into question the integrity of their entire reports. Some recommended actions are:

"(*a*) To establish clear guidelines for expert groups to consult in order to ensure that, while these groups maintain their independence, their inquiries and findings meet appropriately high standards (including reliability of sources, validity of information, identifying names, and right of reply to individuals, entities and States). The guidelines would be based on best practices, drafted in consultation with monitoring experts and possibly other relevant parties, including Member States, and take into consideration the distinct nature of Security Council sanctions regimes and mandates;

"(*b*) To establish, in consultation with monitoring experts, minimum standard criteria for the format of expert group reports, taking into consideration the distinct nature of

Security Council sanctions regimes and mandates, and encourage a practical and action-oriented approach;

"(*c*) To encourage expert groups to clarify the terms of reference for their work with the committee at the outset, or at any time during their mandate;

"(*d*) To promote increased cooperation and interaction among the various expert groups to increase efficiency and decrease duplication of effort;

"(*e*) To address the problem concerning the time required for the Secretariat to appoint monitoring mechanisms and process their reports;

"(*f*) To address the problem concerning the limited time available to the monitoring experts to conduct their work (and how this affects the quality of their work on the ground and report drafting).

"B. Implementation of the recommendations of expert group reports

"10. A number of steps should be taken to improve the implementation of expert group recommendations that are approved by the Security Council:

"(*a*) Committees agree on a standardized format for the presentation of experts' recommendations for consideration, and prioritize recommendations according to criteria such as urgency and ease of implementation;

"(*b*) Identify the appropriate actor for each recommendation and initiate action and follow-up;

"(*c*) Write to States where an individual or State authority is alleged to have violated sanctions, requesting a prompt response and corrective action and follow-up as the committee deems necessary;

"(*d*) Continue, on a case-by-case basis, to invite relevant parties, including neighbouring States, to come to the committee to exchange information on sanctions implementation; seek further information from States alleged to have violated sanctions; and make the outcome of the discussion public, perhaps in the annual report of the committee;

"(*e*) Incorporate guidance on committee follow-up action in the guidelines for the conduct of work;

"(*f*) The Council should seek to provide, in the event that it chooses to refrain from implementing a recommendation proposed by an expert group, an explanation for its reasons, if and when it deems it appropriate.

"C. Roster of experts

"11. In order to establish a standardized and transparent system for identifying candidates for expert groups, the Secretariat set up some years ago an expert roster of candidates drawn from a variety of sources, including Member State submissions, academia and non-governmental organizations. Selection is based on the criteria of specialized expertise in the area of competence and academic qualifications, with due regard to equitable geographical distribution, gender balance and references. This system could be improved by:

"(*a*) Continuing periodic review of the interest and availability of candidates and revising the roster accordingly;

"(*b*) Instituting a transparent system of performance evaluation for members of expert groups;

"(*c*) Considering the possibility of engaging monitoring experts for longer periods of time while avoiding the risk of compromising their independence;

"(*d*) Increasing efforts to seek candidates with cultural and country-related knowledge relevant to the mandates of monitoring mechanisms.

"D. Information management

"12. The project to design a centralized, retrievable database for the documents and information accumulated by expert groups and monitoring mechanisms should use and integrate to the fullest extent possible design elements that are already in use in the Al-Qaida and Taliban sanctions committee-related database. Steps should also be taken:

"(*a*) To identify additional ways to enhance the institutional memory of the Secretariat with regard to the practice and precedent of sanctions administration;

"(*b*) To establish a system for making such material available to expert groups at the outset of their mandate.

"E. Visits to the region by chairpersons

"13. Committee chairpersons should continue the practice of visits to the region of targeted countries to monitor sanctions implementation, in accordance with the note by the President of the Security Council dated 29 January 1999,[478] and report to the Council in instances of significant or serious non-compliance.

"IV. Committee working methods

"14. Increased information-sharing in the sanctions process would enhance transparency and contribute to better implementation of the sanctions measures. In addition, providing populations in target States with more information about the scope and purpose of sanctions would reduce their vulnerability to anti-sanctions propaganda.

"15. Increased transparency in the work of sanctions committees as well as outreach to international media are some ways to address these issues. More use could be made of advanced communication technology to increase the interaction of various actors with the committees, while minimizing costs.

"16. The following are suggested ways to improve committee working methods:

"Procedures

"(*a*) Committees to harmonize guidelines, as they deem appropriate, including procedures for listing and de-listing, and publicize guidelines by note verbale to all Member States, as well as by posting on committee websites;

"(*b*) Make States' reports publicly available on committee websites unless a State specifically requests that its report be kept confidential;

"(*c*) Provide a standard template to assist States in meeting reporting requirements;

"(*d*) Chairpersons to issue press releases and use other means to publicize which States have submitted reports on implementation and encourage States which have not submitted reports to do so, subject to the approval of the concerned committee (currently, annual reports list only those States that have reported);

"(*e*) Chairpersons to meet frequently to discuss common concerns, best practices and ways to improve mutual cooperation;

"(*f*) Committees, if they deem it appropriate, to include in their guidelines a provision for regular reviews of 'holds' placed by members;

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[478] S/1999/92.

"**Outreach**

"(*g*) Chairpersons to regularly brief (singly or jointly) non-members on the status of the monitoring and implementation of sanctions. Open meetings of the Security Council could also be convened for this purpose;

"(*h*) Committees, as they deem feasible and appropriate, to announce all meetings to the public (in the *Journal of the United Nations* and/or on their websites) and seek to provide a provisional agenda and brief summary of decisions;

"(*i*) Chairpersons to engage with the international media (including United Nations Radio and Television in the field) to provide information on (i) the rationale behind sanctions; (ii) the criteria for their lifting; (iii) problems involved with monitoring and implementation; and (iv) sanctions violations and non-compliance by States;

"(*j*) Committees to improve public dissemination of the published reports of the expert groups, while preserving the confidentiality of classified documents;

"**Interaction**

"(*k*) Committees to encourage regular inputs from target and neighbouring States as to challenges they face in sanctions monitoring and implementation;

"(*l*) Improve methods for routine engagement of regional and subregional organizations in support of sanctions implementation by establishing channels for exchanging information with such organizations (e.g., Economic Community of West African States, African Union), including providing assistance to and receiving assistance from such regional organizations;

"(*m*) Improve communication links between the United Nations and specialized international organizations, drawing their attention to actions in their area of competence mentioned in Security Council resolutions, and to matters within their competence identified in expert group reports (e.g., International Civil Aviation Organization, World Customs Organization, INTERPOL, Kimberley Process);

"(*n*) Strengthen interaction with non-governmental organizations, when deemed necessary, on issues where they maintain a regional presence and explore options to increase the opportunities for consultation with key private-sector actors on sanctions-related issues.

"V. Methodological standards for reports of sanctions monitoring mechanisms (criteria and best practices)

"17. The establishment of sanctions monitoring mechanisms is an important innovation in the structure of Security Council sanctions regimes, which has contributed to more effective sanctions implementation. Through their inquiries in States affected by sanctions, these mechanisms have shed significant light on how targeted sanctions, including arms embargoes, are implemented, as well as on various possible ways that sanctions are violated. These mechanisms have contributed to an understanding of both the nature and the scope of obstacles to more systematic compliance, thereby enhancing the overall capacity of the United Nations to refine and tighten targeted sanctions measures.

"18. The methodological standards used by monitoring mechanisms have evolved with experience gained through their fact-finding work. Insufficiently supported allegations of non-compliance and sanctions violations publicized in a United Nations report could call into question the integrity of the entire report. For this reason, there is room for further improvement of, as well as agreement on, methodological standards for sanctions monitoring mechanisms.

"A. Common methodological standards

"19. Sanctions monitoring mechanisms are established by the Security Council in support of subsidiary organs. As such, they are organs with different and distinct mandates, of independent, expert and non-judiciary character, with no subpoena powers, whose primary role is to provide sanctions-related information to the relevant committees. However, given that the findings of the monitoring mechanisms (either their reports or documents or testimonies of their individual members), may be used by judicial authorities, their methodological standards may affect the credibility of the Organization.

"20. Common methodological standards, allowing for differing mandates and drawing on the best practices and lessons learned from the accumulated experience of past and present sanctions monitoring mechanisms, could provide a useful reference point for such mechanisms for identifying and verifying sanctions violations and for evaluating the reliability of sources.

"B. Possible steps for clarifying methodological standards

"Transparency and sources

"21. Whenever possible, monitoring mechanisms should identify the sources of information contained in their reports, ensure that such information is as transparent and verifiable as possible to protect the credibility of findings and the integrity of the process, and check and corroborate all citations and facts.

"Documentary evidence

"22. Monitoring mechanisms should rely on verified documents and, wherever possible, on first-hand, on-site observations by the experts themselves, including photographs.

"Assertions corroborated by independent verifiable sources

"23. Monitoring mechanisms should endeavour to ensure that their assertions are corroborated by solid information and that their findings are substantiated by credible sources.

"Confidential sources

"24. Monitoring mechanisms should take particular care when analysing the reliability of confidential information, keeping in mind the identity and role of the source of such information. Upholding the confidentiality of sources of information regarding sanctions-busting or non-compliance may be necessary to ensure the personal safety of individual sources. In all cases, efforts should be made to ensure the veracity of information gained in confidence against independent and verifiable sources.

"25. While maintaining the confidentiality of certain sources, experts could provide more clarification on such sources by attributing such information received from States to an 'official but confidential' source. Similarly, confidential information obtained from an individual could be identified by referring to the office or professional position of the individual.

"Stating methodological standards

"26. Monitoring mechanisms should, where appropriate, state their methodological standards at the outset of each report and adhere to those standards.

"Briefing on available sources

"27. Monitoring mechanisms are assisted in their work by being informed of, or receiving copies of guidelines and material from, previous monitoring mechanisms and by being made aware of relevant resources available to them through the United Nations system.

"Opportunity to review, comment and respond

"28. Monitoring mechanisms should emphasize impartiality and fairness during the report drafting process, and make available to relevant parties (State authorities, entities or individuals), if appropriate, any evidence of wrongdoing for their review, comment and response, within a specified deadline. Rebuttals, with an assessment of their credibility, and corrections regarding already published allegations, should be included in subsequent reports.

"Secretariat briefings

"29. The Secretariat briefs newly established monitoring mechanisms at the outset of their work, including on the legal status of individual experts and bodies, coordination with other United Nations bodies on the ground, relationship with the Security Council and the Secretary-General, administrative and personnel issues and methodological standards.

"30. Such briefings should be available when a monitoring mechanism is established and each time it is re-established, in particular to ensure that all newly appointed experts are briefed. In addition, these briefings could usefully be expanded with respect to best practices and monitoring mechanisms could benefit from access to legal advice from the Secretariat during the entire period of their missions.

"C. Other factors that affect methodological standards

"31. Ensuring the quality and reliability of monitoring mechanism reports can be facilitated by the appointment of the best qualified experts.

"32. The Security Council and its committees should be as precise and unambiguous as possible concerning the measures imposed by resolutions and the tasks mandated to monitoring mechanisms and should provide all guidance requested by the mechanisms in a timely manner.

"VI. Criteria and best practices for a standard format for reports of sanctions monitoring mechanisms

"33. In order to improve the format of the reports of sanctions monitoring mechanisms and to make use of the best practices which these mechanisms have developed over time through their experience with report writing, common guidelines should be provided as a reference point for such mechanisms. The common guidelines should take into account that monitoring mechanisms have distinct mandates and work under different conditions. As such, these guidelines should be non-binding.

"A. Technical format of the reports of monitoring mechanisms

"34. The language of the reports of the monitoring mechanisms should be clear, focused and concise.

"35. The software used for the reports as well as the applied font, font size, spacing, page numbering, etc. should adhere to a common standard set by the Secretariat and provided to each monitoring mechanism in template form.

"36. Illustrative material (including graphs, charts, maps and photographs) to be included in the reports should be submitted digitally in a format which can be imported by the standard software used for the reports.

"37. Names of individuals, entities and places need to be spelled out consistently throughout the document, and abbreviations should be avoided as much as possible. When used for the first time, abbreviations should be spelled out and clearly identified in the 'Abbreviations' section preceding the introductory section of the report.

"38. Reports should be submitted to the Secretariat in an electronic format as well as in a hard copy at least four weeks before the expected date of issuance stated in the text of the resolution in order to allow sufficient time for editing and translation. Monitoring mechanisms should nominate a single member to liaise with the Secretariat on editing and translation matters.

"39. The recommended 35-page limit for all United Nations reports should also apply, to the greatest extent possible, to the reports of the monitoring mechanisms. This limit should not include annexes, footnotes, photographs, graphics or any other additions to the main body of the report.

"40. Monitoring mechanisms may wish to consider that experience has shown that assigning one member of the monitoring mechanism to draft the report facilitates its coherence, focus and consistency in drafting style.

"B. Standard contents of the reports of monitoring mechanisms

"41. The following elements should be standard in any monitoring mechanism report.

"Abbreviations and glossary

"42. Abbreviations should be used sparingly and be listed, together with a glossary of terms used, for quick reference.

"Summary

"43. An executive summary not exceeding two pages is useful for identifying the main findings and recommendations of a report.

"Introduction

"44. The introduction should state the mandate of the monitoring mechanism or refer to relevant Security Council resolutions.

"Composition of the monitoring mechanism

"45. Reports may identify the members of the monitoring mechanism and their areas of expertise, and name consultants that have assisted the monitoring mechanism in its work.

"Methodology

"46. A section on methodology is vital as it allows the reader to become familiar with the methodology through which the monitoring mechanisms arrived at their conclusions. In this section, the monitoring mechanisms could also elaborate on the challenges encountered in carrying out their work.

"Political context

"47. Most monitoring mechanism reports make reference to the relevant political situation. This section should be brief and concise and confine itself as much as possible to issues that bear directly on the mandate of the mechanism.

"Analysis of the implementation of sanctions

"48. The basis on which the analysis of the implementation of sanctions is made and the arguments leading to its conclusions should be clearly spelled out. Case studies should be applied and backed up with primary documents to allow for greater depth and emphasis regarding the analysis.

"Recommendations

"49. Whether placed at the end of each section of the report, or grouped at the end of the report, recommendations should prescribe specific and practical steps to be taken based on critical findings or observations. Whereas grouping recommendations at the end of a report may facilitate easy access, they may be placed within a text as well when they flow from a particular argument.

"Accuracy in reporting

"50. When drafting reports, monitoring mechanisms should provide concrete information concerning allegations of non-compliance or sanctions violations and pay due attention to accurate wording in describing such allegations and in identifying names, whether of States, individuals or entities.

"Annexes

"51. Annexes should be used to provide as much 'hard' evidence (images, copies of documents and tables containing detailed technical information) as possible to substantiate the findings contained in the report. Annexes need to be legible and illustrative and should be retyped when appropriate.

"52. Annexes that reproduce documentation, such as false end-user certificates, are particularly effective. If figures are provided, a footnote indicating the source should be included, for example, for figures of the value or volume of shipments in sanctioned commodities.

"Activities and meetings

"53. Reports should include an annex summarizing the activities of the monitoring mechanisms and listing relevant meetings.

"Index

"54. The inclusion of an index could be useful for a selective reading of the report."

On 8 January 2007, the President of the Security Council issued the following note:[479]

"Following consultations among the members of the Security Council, it has been agreed that the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, initially established on 1 March 2002 for a period of one year,[480] will continue its work until 31 December 2007."

In a letter dated 12 January 2007, the President of the Security Council informed the Secretary-General of the selection of Panama and South Africa as the two members of the Council's elected member category for the Organizational Committee of the Peacebuilding Commission for a term of one year, until the end of 2007.[481]

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[479] S/2007/6.

[480] See S/2002/207.

[481] The letter, which was issued as a Security Council document under the symbol S/2007/16, has been reproduced on page 240 of the present volume.

On 18 January 2007, the President of the Security Council issued the following note:[482]

"Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998,[483] and after consultations among the members of the Council, it was agreed to elect the Chairmen and Vice-Chairmen of the following subsidiary bodies for the period ending 31 December 2007:

Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

Chairman: Dumisani Shadrack Kumalo (South Africa)
Vice-Chairmen: Ghana and Slovakia

Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda

Chairman: Rezlan Ishar Jenie (Indonesia)
Vice-Chairman: Italy

Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

Chairman: Nassir Abdulaziz Al-Nasser (Qatar)
Vice-Chairmen: Congo and Panama

Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Chairman: Johan Verbeke (Belgium)
Vice-Chairmen: Ghana and Russian Federation

Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Chairman: Ricardo Alberto Arias (Panama)
Vice-Chairmen: Peru, Qatar and South Africa

Security Council Committee established pursuant to resolution 1518 (2003)

Chairman: Nana Effah-Apenteng (Ghana)
Vice-Chairman: Belgium

Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia

Chairman: Nassir Abdulaziz Al-Nasser (Qatar)
Vice-Chairmen: Indonesia and South Africa

Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Chairman: Jorge Voto-Bernales (Peru)
Vice-Chairmen: Indonesia and Qatar

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[482] S/2007/20.

[483] S/1998/1016.

Security Council Committee established pursuant to resolution 1540 (2004)

Chairman: Peter Burian (Slovakia)
Vice-Chairmen: Ghana, Indonesia and United Kingdom of Great Britain and Northern Ireland

Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

Chairman: Johan Verbeke (Belgium)
Vice-Chairmen: Italy and South Africa

Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan

Chairman: Marcello Spatafora (Italy)
Vice-Chairmen: Panama and Slovakia

Security Council Committee established pursuant to resolution 1636 (2005)

Chairman: Nana Effah-Apenteng (Ghana)
Vice-Chairmen: Belgium and Slovakia

Security Council Committee established pursuant to resolution 1718 (2006) concerning the Democratic People's Republic of Korea

Chairman: Marcello Spatafora (Italy)
Vice-Chairmen: Ghana and Peru

Security Council Committee established pursuant to resolution 1737 (2006)

Chairman: Johan Verbeke (Belgium)
Vice-Chairmen: Ghana and Peru

Working Group on Peacekeeping Operations

Chairman: Rezlan Ishar Jenie (Indonesia)

Ad Hoc Working Group on Conflict Prevention and Resolution in Africa

Chairman: Basile Ikouebe (Congo)

Working Group established pursuant to resolution 1566 (2004)

Chairman: Jorge Voto-Bernales (Peru)

Working Group on Children and Armed Conflict

Chairman: Jean-Marc de La Sablière (France)

Informal Working Group on Documentation and Other Procedural Questions

Chairman: Peter Burian (Slovakia)

Ad Hoc Committee on Mandate Review

Chairmen: Peter Burian (Slovakia) and Dumisani Shadrack Kumalo (South Africa)"

On 27 July 2007, the President of the Security Council issued the following note:[484]

"Following consultations among the members of the Security Council, the members agreed to elect the Chairmen of the following subsidiary bodies for the period ending 31 December 2007:

Security Council Committee established pursuant to resolution 1518 (2003)

Leslie Kojo Christian (Ghana)
Belgium will continue to serve as Vice-Chairman for the said period.

Security Council Committee established pursuant to resolution 1636 (2005)

Leslie Kojo Christian (Ghana)
Belgium and Slovakia will continue to serve as Vice-Chairmen for the said period.

Ad Hoc Working Group on Conflict Prevention and Resolution in Africa

Pascal Gayama (Congo)"

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[484] S/2007/461.

Items included in the agenda of the Security Council for the first time from 1 August 2006 to 31 July 2007

NOTE: The practice of the Security Council is to adopt at each meeting, on the basis of the provisional agenda circulated in advance, the agenda for that particular meeting; the agenda as adopted for each meeting held during the period from 1 August 2006 to 31 July 2007 will be found in the records of the 5504th to 5727th meetings (S/PV.5504–5727).

The following list of items shows also the meetings at which the Council decided, during that period, to include in the agenda items that had not been inscribed previously.

Item	*Meeting*	*Date*
Peace consolidation in West Africa	5509th	9 August 2006
The situation in Myanmar	5526th	15 September 2006
Non-proliferation/Democratic People's Republic of Korea	5551st	14 October 2006
Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council	5576th	1 December 2006
Tribute to the outgoing Secretary-General	5607th	22 December 2006
Maintenance of international peace and security: role of the Security Council in supporting security sector reform	5632nd	20 February 2007
Relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security	5649th	28 March 2007
Letter dated 5 April 2007 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council	5663rd	17 April 2007
Humanitarian situation in the Great Lakes region and the Horn of Africa	5677th	21 May 2007
Maintenance of international peace and security	5705th	25 June 2007

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1718 (2006)	14 October 2006	Non-proliferation/Democratic People's Republic of Korea	279
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1721 (2006)	1 November 2006	The situation in Côte d'Ivoire	198
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1723 (2006)	28 November 2006	The situation concerning Iraq	242
1724 (2006)	29 November 2006	The situation in Somalia	67

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